

IN THE MATTER OF * BEFORE THE
 THE APPLICATION OF * COUNTY BOARD OF APPEALS
 POMONA CORP. CENTRE -LEGAL *
 OWNER; SUNRISE DEVELOPMENT - *
 CONTRACT PURCHASER/PETITIONERS* OF
 FOR A SPECIAL EXCEPTION ON *
 PROPERTY LOCATED ON THE SOUTH * BALTIMORE COUNTY
 SIDE NAYLORS LANE, 379' W OF *
 THE CENTERLINE REISTERSTOWN * CASE NO. 95-51-X
 ROAD (3901 NAYLORS LANE) *
 3RD ELECTION DISTRICT *
 2ND COUNCILMANIC DISTRICT *
 * * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated October 24, 1994 in which the Petition for Special Exception was granted with restrictions.

WHEREAS, the Board is in receipt of an Order of Dismissal filed by Newton A. Williams and NOLAN, PLUMHOFF & WILLIAMS, CHTD, Attorneys for Naylor Lane Associates Limited Partnership, Appellant, dated April 18, 1995 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal filed in this matter be dismissed "With Prejudice" as of April 18, 1995;

IT IS HEREBY ORDERED this 27th day of April, 1995 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED with prejudice.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William T. Hackett
 William T. Hackett, Chairman

Michael B. Sauer
 Michael B. Sauer

Harry E. Buchheister, Jr.
 Harry E. Buchheister, Jr.

MICROFILMED

* BEFORE THE
* COUNTY BOARD OF APPEALS
* FOR
* BALTIMORE COUNTY
*
*

* * * * *

Mr. Chairman:

Newton A. Williams

Nolon, Blumhoff & Williams

Attorneys for Naylor's Lane
Associates Limited Partnership

95 APR 18 PM 1:55

707A - 100% COLD AIRFLOW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of March, 1995, a copy of the foregoing Order of Dismissal was mailed, postage prepaid, to:

Thomas B. Newell, Esquire
General Counsel for Naylor Lane Associates, Limited
Partnership

Howard B. Alderman, Esquire
Levin and Gann
Zoning Counsel for the Petitioners
305 W. Chesapeake Avenue
Towson, Maryland 21204

Peter Max Zimmerman, Esquire
People's Counsels Office
Court House
Towson, Maryland 21204

Nancy Paige, Esquire
Former Protestant
Garrett Building
233 E. Redwood Street
Baltimore, Maryland 21203

Father H. Stucky
St. Marks on the Hill Episcopal Church
Former Protestant
1620 Reisterstown Road
Pikesville, Maryland 21208



Newton A. Williams

8054C(87-88)

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 27, 1995

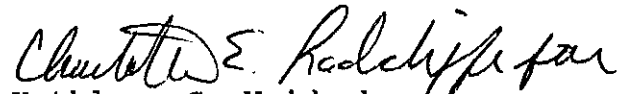
Newton A. Williams, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204-5340

RE: Case No. 95-51-X
Pomona Corp. Centre
/Sunrise Development, Inc.

Dear Mr. Williams:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,


Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Naylor's Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al
Howard L. Alderman, Jr., Esquire
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc.
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner
Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
Melvin Berger
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

MICROFILMED



IN RE: PETITION FOR	*	BEFORE THE
SPECIAL EXCEPTION		
S/S Naylor's Lane, 379 W of C/L	*	COUNTY BOARD OF APPEALS
Reisterstown Road		
3901 Naylor's Lane	*	FOR
3rd Election District		
2nd Councilmanic District	*	BALTIMORE COUNTY
Legal Owner: Pomona Corp.		
Centre	*	
Contract Purchaser: Sunrise		
Development, Inc., Petitioners	*	

* * * * *

ORDER OF DISMISSAL

Mr. Chairman:

On behalf of Naylor's Lane Associates Limited Partnership (NLALP), the sole remaining protestant, (NLALP and Sunrise Development, Inc., Constellation/Sunrise Pikesville Limited Partnership, as Contract Purchasers and Naylor's Lane Associates Limited Partnership, Legal Owner, successor to Pomona Corp. Centre, having entered into a Settlement Agreement and Deed of Easement, covering NLALP's appellate concerns, the said Agreement and Deed of Easement to be recorded among the Land Records of Baltimore County), NLALP does hereby dismiss its appeal of November 14, 1994, herein, "With Prejudice."

Newton A. Williams

Newton A. Williams

Nolan, Plumhoff & Williams

NOLAN, PLUMHOFF & WILLIAMS, CHTD
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204
410-823-7800

Attorneys for Naylor's Lane
Associates Limited Partnership

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of March, 1995,
a copy of the foregoing Order of Dismissal was mailed, postage
prepaid, to:

Thomas B. Newell, Esquire
General Counsel for Naylors Lane Associates, Limited
Partnership

Howard B. Alderman, Esquire
Levin and Gann
Zoning Counsel for the Petitioners
305 W. Chesapeake Avenue
Towson, Maryland 21204

Peter Max Zimmerman, Esquire
People's Counsels Office
Court House
Towson, Maryland 21204

Nancy Paige, Esquire
Former Protestant
Garrett Building
233 E. Redwood Street
Baltimore, Maryland 21203

Father H. Stucky
St. Marks on the Hill Episcopal Church
Former Protestant
1620 Reisterstown Road
Pikesville, Maryland 21208

Newton A. Williams

Newton A. Williams

8054C(87-88)

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

10-24-90

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
S/S Naylor's Lane, 379 ft. W of *
c/l Reisterstown Road * ZONING COMMISSIONER
3901 Naylor's Lane *
3rd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District *
Legal Owner: Pomona Corp. Centre * Case No. 95-51-X
Contract Purchaser: Sunrise *
Development, Inc., Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 3901 Naylor's Lane in Pikesville. Relief is requested under the provisions of Section 502.1 of the Baltimore County Zoning Regulations (BCZR), to approve a Class B Assisted Living Facility on the subject site pursuant to Section 432.1.A.3 and an accessory group child care center as permitted by right by Section 424.5.B. The Petition is filed by the Pomona Corporate Centre Limited Partnership, property owner, and Sunrise Development, Inc., (hereinafter "Sunrise"), Contract Purchaser.

Appearing at the public hearing held for this case was William Shields, the Director of Engineering for Sunrise. Also appearing and testifying on behalf of the Petitioner was Whitney Wagner, an architect who prepared the site plan, and Jean Tansey, a landscape architect with Daft, McCune, Walker. The Petitioner was represented by Thomas B. Newell, General Counsel, and Howard Alderman, Esquire. Ervin McDaniel, from the Office of Planning and Zoning, also appeared in support of the Petition.

Several individuals appeared as interested persons and/or Protestants. They included Nancy Paige, Esquire who appeared individually as a property owner and representing the Pine Ridge Association. She also represented the concerns of Father Robert H. Stucky, the pastor of the adjacent St. Mark's On The Hill Episcopal Church and Gordon Sugar, a nearby property

ORDER RECEIVED FOR FILING

Date

By

10/24/90
Mr. Hovak

MICROFILMED

owner. Also appearing was Sidney M. Friedman on behalf of the Pikesville Chamber of Commerce and Melvin Berger, Protestant.

William Shields, the Director of Engineering for Sunrise, testified and described the site. The property is approximately 4.2 acres in area and is zoned O-1. It is located in Pikesville not far from Reisterstown Road (Md. Route 140). Vehicular access to the site is by way of Naylor's Lane to the north and Old Court Road to the south. The property's location, in Mr. Shields' opinion, makes same easily accessible and development of the site as proposed should not result in any traffic or parking congestion.

Mr. Shields also testified that his company operates approximately 35 retirement communities nationwide. Six of these communities are in the Baltimore-Washington area including one in Towson. He comprehensively described the proposed use of the site. Specifically, the property will be developed as an Assisted Living Facility for the Elderly. As shown on the site plan, the proposed facility will be three stories in height. Additionally, a child care center will also be operated as an accessory use.

Also testifying was Whitney Wagner, an architect, engaged by Sunrise. Mr. Wagner fully explained the proposed plan and presented a series of photographs and schematic drawings depicting the proposed improvements. These exhibits show that Sunrise has built attractive retirement community centers elsewhere and the company intends on developing this site in a conscientious and thoughtful manner. The subject site, as is the case with other Sunrise Retirement Communities will not be institutional in appearance. Rather, the property will be architecturally modeled to present a residential image. Mr. Wagner indicated that the project would be designed so as to be compatible with the surrounding locale and adjacent uses.

Mr. Wagner also that 72 units would be provided within the assisted living facility. These 72 units could house 96 elderly residents. The assisted living center will be 56,000 sq. ft. in area, significantly larger than the 4,000 sq. ft. devoted to the day care facility.

Also testifying in support of the Petition was Ervin McDaniel from the Office of Planning and Zoning. He noted that CRG approval was originally granted for the development of the property with a 90,000 sq. ft. office building. That CRG approval remains valid and has not lapsed. Recently, the Developer appeared before the Development Review Committee with the subject plans and requested that the CRG approval be extended to these plans as a refinement. Due to the fact that the proposed development is smaller than the 90,000 ft. office complex and will generate less traffic, the CRG approval was extended to this project.

Also testifying was Jean Tansey, a Landscape Architect from Daft, McCune, Walker. She corroborated Mr. McDaniel's testimony as it related to the CRG approval and process. She further addressed the requirements in Section 502.1 of the BCZR and opined that each would be satisfied by the development of the property in the manner proposed. In summary, she opined that the proposed uses would not be detrimental to the health, safety or general welfare of the locale and that the proposed development was compatible with the adjacent area and surrounding community. She also noted that the 44 parking spaces provided would be more than sufficient for the traffic which is contemplated.

Nancy Paige, Esquire, both on her own behalf and in a representative capacity, voiced tentative support for the project. In fact, subsequent to the hearing, an agreement was received and made part of the record by and between the Developer and surrounding neighbors including the Pine Ridge Association, Gordon E. Sugar, Nancy E. and David Paige and the St. Mark's

ORDER RECEIVED FOR FILING
DATE 10/24/90
BY J. H. G. [Signature]

PROCESSED BY [Signature]

on the Hill Episcopal Church. This agreement evidences support for the project by these neighbors in the event certain landscaping and assurances are given by the property owners and contract purchasers. As requested, I shall incorporate that agreement within my Order as a condition precedent to the approval of the special exception. The agreement is dated October 12, 1994 and has been recorded in the Land Records of Baltimore County at Liber 10788, folio 676.

Lastly, testimony was also received from Melvin Berger, who identified himself as a nearby property owner. The property owned by Mr. Berger was not specifically identified and the basis of his standing to contest development on this site was not altogether clear. However, he expressed certain concerns over traffic congestion. It should be noted, however, that planned vehicular access to the property appears entirely proper. As noted above, access can be obtained from both Old Court Road and Naylor's Lane. Moreover, the traffic generated by the proposed use is significantly less than what could be expected if a 90,000 sq. ft. office complex were constructed.

A special exception is a use which has been predetermined by the Baltimore County Council to be conditionally compatible with the uses permitted as of right in a particular zone. See Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970). The Zoning Commissioner, in evaluating a special exception, must decide under the specific standards set forth in Section 502 of the BCZR whether the presumptive compatibility of the proposed special exception exists. Section 502 of the BCZR provides certain guidelines to be applied to certain issues such as traffic, impact on public improvements and utilities, pollution, etc.

ORDER RECEIVED FOR FILING

Date

By

The Petitioner has the burden of adducing testimony which will establish that the proposed use meets the prescribed standards and requirements. The Petitioner does not have to establish affirmatively that the proposed use would be a benefit to the community, only that said use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. A special exception must be granted unless there is a showing that the negative impacts would result in a unique fashion. See Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

Based upon the overwhelming weight of testimony and evidence offered, I am persuaded that the Petition for Special Exception should be granted. In my view, the Petitioner has clearly satisfied its burden at law. In fact, I believe that the proposed use will bring a positive impact on the surrounding locale. In this regard, it is well known that Baltimore County's increasingly large senior citizen population needs housing facilities such as the one proposed. Moreover, the architectural style and development of the site is entirely compatible with the surrounding community. I am impressed with the efforts made by the Petitioner to create a building which will be a good fit in this neighborhood. Also, the melding of the elderly living facility and day care center will foster inter-generational contact which will benefit the clientele of both facilities. For all of these reasons, I am persuaded to grant the Petition for Special Exception and will so order.

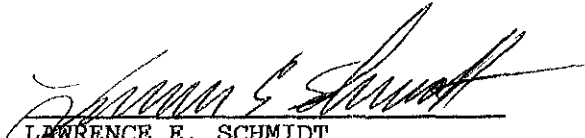
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of October, 1994 that, pursuant to the Petition for Special Exception, approval for a Class B Assisted Living Facility on the

subject site pursuant to Section 432.1.A.3 and an accessory group child care center as permitted by right by Section 424.5.B, as shown on the site plan, (Petitioner's Exhibit No. 4), be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The terms, conditions, and provisions of the agreement reached by and between the Petitioners and the Pine Ridge Association, St. Marks Church and other individuals, dated 10/12/94, is hereby incorporated in this Order approving the special exception as a condition precedent thereto.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

DATE 10/24/94
BY [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 21, 1994

Howard Alderman, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 95-51-X
Sunrise Development, Inc./Pomona Corp. Center
Ltd. Partnership, Petitioners

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Jean Tansey, Daft, McCune, Walker, Inc.
Mr. Whitney Wagner
Mr. William Shields
Thomas B. Newell, Esquire
Nancy Paige, Esquire
Reverend Robert H. Stucky
Mr. Sidney M. Friedman, Pikesville Chamber of Commerce

RECORDED



8-31-94

RE: PETITION FOR SPECIAL EXCEPTION *
3901 Naylor's Lane, S/S Naylor's Lane,
379' W of c/l Reisterstown Rd, 3rd *
Election Dist., 2nd Councilmanic

Pomona Corporate Ctr Ltd Partnership
Petitioners *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-51-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas B. Newell, Esquire, 7929 Westpark Drive, Suite 400, McLean, VA 22101, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED



Petition for Special Exception

95-51-X

to the Zoning Commissioner of Baltimore County

for the property located at

3901 Naylors Lane

which is presently zoned

0-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Class B Assisted Living Facility per Sec. 432.1.A.3. and accessory group child care as permitted by right in Sec.424.5.B, BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Sunrise Development, Inc.

(Type or Print Name)

William D. Shields
Signature William D. Shields

9401 Lee Highway, Suite 300

Address

Fairfax Virginia 22031

City

State

Zipcode

Attorney for Petitioner.

Thomas B. Newell

(Type or Print Name)

Thomas B. Newell
Signature (703) 749-1000

7929 Westpark Drive, Suite 400

Address

Phone No.

McLean

VA

22101

City

State

Zipcode

Legal Owner(s):

Pomona Corporate Centre Ltd. Ptrshp.

(Type or Print Name)

Howard Saperstein
Signature Howard Saperstein, Managing Partner *et al*

(Type or Print Name)

Signature

10220 S. Dolfield Rd.

Address

363-0004

Phone No.

Owings Mills, Md

21117

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

William D. Shields, Sunrise Development

Name

9401 Lee Hwy. #300, Fairfax, VA (703)

Address

Phone No.

273-7500

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1-2 hr.

the following dates

Next Two Months

ALL ☒ OTHER

REVIEWED BY: *MDIC*

DATE 8/10/94



MICROFILMED

#52
95-51-X

Description
to Accompany Petition for Special Exception
Pomona Corporate Center Ltd. Partnership
4.20 Acre Parcel
South Side of Naylor's Lane
West of Reisterstown Road
Third Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the southern side of Naylor's Lane, 60 feet wide, at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of said Naylor's Lane with the centerline of Reisterstown Road, 66 feet wide, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) South 50 degrees 18 minutes 39 seconds West 379 feet, more or less, along said centerline of Naylor's Lane and leaving said centerline (2) South 39 degrees 40 minutes 33 seconds West 30 feet to the point of beginning, thence leaving said point of beginning the following three courses and distances, viz: (1) South 39 degrees 40 minutes 33 seconds West 395.57 feet, thence (2) South 48 degrees 41 minutes 10 seconds West 204.20 feet, and thence (3) South 39 degrees 33 minutes 50 seconds East 153.61 feet to the northern side of Old Court Road, 70 feet wide, thence binding on said northern side (4) South 73 degrees 01 minute 49 seconds West 372.46 feet, thence leaving said northern side the following two courses and distances, viz: (5) North 48 degrees 41 minutes 10 seconds East 157.77 feet, and thence (6) North 39 degrees 40 minutes 33 seconds West 406.64 feet to the said southern side of Naylor's Lane, thence binding on said southern side (7) North

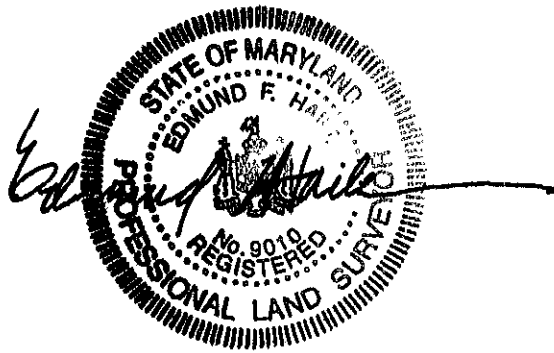
95-51-X

50 degrees 18 minutes 39 seconds East 390.31 feet to the point of beginning;
containing 4.20 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 10, 1994

Project No. 88038.G (L88038G)



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-51-X

District 3rd

Date of Posting 8/26/94

Posted for: Special Exception

Petitioner: Remona Corp. Centre Limited Partnership

Location of property: 3901 Naylor Road, S/S

Location of Signs: Facing roadway, on property being zoned

Remarks:

Posted by

[Signature]
Signature

Date of return:

9/2/94

Number of Signs:

1

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 100 of the County Office

Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
85-51-X (Item 52)
3901 Naylors Lane
8/5 Naylors Lane, 379'
W of c/ Reisterstown Road
3rd Election District
2nd Councilmanic

Legal Owner(s):
Pompha Corporate
Centre Limited
Partnership

Contract Purchaser(s):
Sunrise Development,
Inc.

HEARING: TUESDAY,
SEPTEMBER 20, 1994 at
11:00 a.m. in Rm. 118, Old
Courthouse.

Special Exception: for a
Class B Assisted Living Facility
and accessory group child
care.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
667-3353.

(2) For informa-
tion concerning the File and/or
Hearing, Please Call 667-3391.

8/271 August 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,

A. H. Henrichson
LEGAL AD. - TOWSON

~~Signature~~

REC-24 (MED)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 52
Petitioner: Sunrise Development, Inc.
Location: 3901 Naylors Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WILLIAM D. SHIELDS, SUNRISE DEVELOPMENT, INC.
ADDRESS: 9401 LEE HWY., SUITE #300
FAIRFAX, VA. 22031
PHONE NUMBER: (703) 273-7500

RECEIVED

Item Number: 52
Planner: MJK
Date Filed: 8-10-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓

The following information is missing:

 Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only submitted)
 200 scale zoning map with property outlined
 Election district
 Councilmanic district
 BCZR section information and/or wording
 Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or
printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original
signature) and/or printed name and/or address
✓ ~~Signature (need minimum 1 original signature) and/or~~
~~printed name and/or title of person signing for legal~~
~~owner/contract purchaser~~
 Power of attorney or authorization for person signing for
legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature)
and/or printed name and/or address and/or telephone number
 Notary Public's section is incomplete and/or incorrect
and/or commission has expired
✓ WHO IS EH? DO THEY HAVE POWER OF
ATTORNEY OR AUTHORIZATION TO SIGN FOR
HOWARD SAPERSTEIN?

CASE NO. 95-51-X

POMONA CORP. CENTRE - L.O. PETITIONERS
SUNRISE DEVELOPMENT, INC. -C.P.

S/S Naylor's Lane, 379' W of the c/l Reisterstown Road
(3901 Naylor's Lane)

3rd District

Appealed: 11/14/94

NOTE: Post (2) signs: 1 Naylor's Lane and
1 Old Court Road

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 11277

DATE 11/21/94

ACCOUNT R-001-6150

AMOUNT \$320.00

RECEIVED Naylor's Lane Associates
FROM:

Appeal of Special Exception and TWO Signs
3901 Naylor Lane
Case No. 95-51-X

FOR:

MICROFILMED

03A03#0034MICHRC

\$320.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-51-X

Account: R-001-6150

Number

Item Number: 52

Taken In By: 255K

Date 8/10/94

3901 Naylor Lane - Sunrise Development
Inc

050 - Special Exception — \$300.00

080 - 1 sign — \$35.00

Total \$335.00

MICROFILMED

02A0280504010400

\$335.00

86 10111366000 10-94

Please Make Checks Payable To: Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-57-X

District 3rd

Date of Posting 11/28/94

Posted for: Appeal

Petitioner: Bonoma Corp. Centre & Sunrise Development Co.

Location of property: 315 Naylor Ave. & N/S Old Ct. Rd.

Location of Signs: Facing roadways on property being appealed

Remarks: _____

Posted by [Signature]

Signature

Date of return: 12/2/94

Number of Signs: 2

MICROFILMED



TO: PUTUXENT PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas B. Newell, Esq.
7929 Westpark Drive, Suite 400
McLean, VA 22101
703-749-1000

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-51-X (Item 52)
3901 Naylor's Lane
S/S Naylor's Lane, 379' W of c/l Reisterstown Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Pomona Corporate Centre Limited Partnership
Contract Purchaser(s): Sunrise Development, Inc.
HEARING: TUESDAY, SEPTEMBER 20, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class B Assisted Living Facility and accessory group child care.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

file

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 19, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-51-X (Item 52)

3901 Naylors Lane

S/S Naylors Lane, 379' W of c/l Reisterstown Road

3rd Election District - 2nd Councilmanic

Legal Owner(s): Pomona Corporate Centre Limited Partnership

Contract Purchaser(s): Sunrise Development, Inc.

HEARING: TUESDAY, SEPTEMBER 20, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class B Assisted Living Facility and accessory group child care.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Thomas B. Newell, Esq.
Sunrise Development, Inc.
Pomona Corporate Centre Ltd. Ptrshp.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 95-51-X

POMONA CORP. CENTRE /Legal Owner; SUNRISE DEVELOPMENT, INC. -Petitioners
S/s Naylor's Lane, 379' W of c/l Reisterstown Road (3901 Naylor's Lane)
3rd Election District
2nd Councilmanic District

SE -Class B Assisted Living Facility and accessory group child care center

10/24/94 -Z.C.'s Order in which Petition was GRANTED with restrictions.

*PP'd on
rec'd 3/30/95
n. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000. 1001. 1002. 1003. 1004. 1005. 1006. 1007. 1008. 1009. 1010. 1011. 1012. 1013. 1014. 1015. 1016. 1017. 1018. 1019. 1020. 1021. 1022. 1023. 1024. 1025. 1026. 1027. 1028. 1029. 1030. 1031. 1032. 1033. 1034. 1035. 1036. 1037. 1038. 1039. 1040. 1041. 1042. 1043. 1044. 1045. 1046. 1047. 1048. 1049. 1050. 1051. 1052. 1053. 1054. 1055. 1056. 1057. 1058. 1059. 1060. 1061. 1062. 1063. 1064. 1065. 1066. 1067. 1068. 1069. 1070. 1071. 1072. 1073. 1074. 1075. 1076. 1077. 1078. 1079. 1080. 1081. 1082. 1083. 1084. 1085. 1086. 1087. 1088. 1089. 1090. 1091. 1092. 1093. 1094. 1095. 1096. 1097. 1098. 1099. 1100. 1101. 1102. 1103. 1104. 1105. 1106. 1107. 1108. 1109. 1110. 1111. 1112. 1113. 1114. 1115. 1116. 1117. 1118. 1119. 1120. 1121. 1122. 1123. 1124. 1125. 1126. 1127. 1128. 1129. 1130. 1131. 1132. 1133. 1134. 1135. 1136. 1137. 1138. 1139. 1140. 1141. 1142. 1143. 1144. 1145. 1146. 1147. 1148. 1149. 1150. 1151. 1152. 1153. 1154. 1155. 1156. 1157. 1158. 1159. 1160. 1161. 1162. 1163. 1164. 1165. 1166. 1167. 1168. 1169. 1170. 1171. 1172. 1173. 1174. 1175. 1176. 1177. 1178. 1179. 1180. 1181. 1182. 1183. 1184. 1185. 1186. 1187. 1188. 1189. 1190. 1191. 1192. 1193. 1194. 1195. 1196. 1197. 1198. 1199. 1200. 1201. 1202. 1203. 1204. 1205. 1206. 1207. 1208. 1209. 1210. 1211. 1212. 1213. 1214. 1215. 1216. 1217. 1218. 1219. 1220. 1221. 1222. 1223. 1224. 1225. 1226. 1227. 1228. 1229. 1230. 1231. 1232. 1233. 1234. 1235. 1236. 1237. 1238. 1239. 1240. 1241. 1242. 1243. 1244. 1245. 1246. 1247. 1248. 1249. 1250. 1251. 1252. 1253. 1254. 1255. 1256. 1257. 1258. 1259. 1260. 1261. 1262. 1263. 1264. 1265. 1266. 1267. 1268. 1269. 1270. 1271. 1272. 1273. 1274. 1275. 1276. 1277. 1278. 1279. 1280. 1281. 1282. 1283. 1284. 1285. 1286. 1287. 1288. 1289. 1290. 1291. 1292. 1293. 1294. 1295. 1296. 1297. 1298. 1299. 1300. 1301. 1302. 1303. 1304. 1305. 1306. 1307. 1308. 1309. 1310. 1311. 1312. 1313. 1314. 1315. 1316. 1317. 1318. 1319. 1320. 1321. 1322. 1323. 1324. 1325. 1326. 1327. 1328. 1329. 1330. 1331. 1332. 1333. 1334. 1335. 1336. 1337. 1338. 1339. 1340. 1341. 1342. 1343. 1344. 1345. 1346. 1347. 1348. 1349. 1350. 1351. 1352. 1353. 1354. 1355. 1356. 1357. 1358. 1359. 1360. 1361. 1362. 1363. 1364. 1365. 1366. 1367. 1368. 1369. 1370. 1371. 1372. 1373. 1374. 1375. 1376. 1377. 1378. 1379. 1380. 1381. 1382. 1383. 1384. 1385. 1386. 1387. 1388. 1389. 1390. 1391. 1392. 1393. 1394. 1395. 1396. 1397. 1398. 1399. 1400. 1401. 1402. 1403. 1404. 1405. 1406. 1407. 1408. 1409. 1410. 1411. 1412. 1413. 1414. 1415. 1416. 1417. 1418. 1419. 1420. 1421. 1422. 1423. 1424. 1425. 1426. 1427. 1428. 1429. 1430. 1431. 1432. 1433. 1434. 1435. 1436. 1437. 1438. 1439. 1440. 1441. 1442. 1443. 1444. 1445. 1446. 1447. 1448. 1449. 1450. 1451. 1452. 1453. 1454. 1455. 1456. 1457. 1458. 1459. 1460. 1461. 1462. 1463. 1464. 1465. 1466. 1467. 1468. 1469. 1470. 1471. 1472. 1473. 1474. 1475. 1476. 1477. 1478. 1479. 1480. 1481. 1482. 1483. 1484. 1485. 1486. 1487. 1488. 1489. 1490. 1491. 1492. 1493. 1494. 1495. 1496. 1497. 1498. 1499. 1500. 1501. 1502. 1503. 1504. 1505. 1506. 1507. 1508. 1509. 1510. 1511. 1512. 1513. 1514. 1515. 1516. 1517. 1518. 1519. 1520. 1521. 1522. 1523. 1524. 1525. 1526. 1527. 1528. 1529. 1530. 1531. 1532. 1533. 1534. 1535. 1536. 1537. 1538. 1539. 1540. 1541. 1542. 1543. 1544. 1545. 1546. 1547. 1548. 1549. 1550. 1551. 1552. 1553. 1554. 1555. 1556. 1557. 1558. 1559. 1560. 1561. 1562. 1563. 1564. 1565. 1566. 1567. 1568. 1569. 1570. 1571. 1572. 1573. 1574. 1575. 1576. 1577. 1578. 1579. 1580. 1581. 1582. 1583. 1584. 1585. 1586. 1587. 1588. 1589. 1590. 1591. 1592. 1593. 1594. 1595. 1596. 1597. 1598. 1599. 1600. 1601. 1602. 1603. 1604. 1605. 1606. 1607. 1608. 1609. 1610. 1611. 1612. 1613. 1614. 1615. 1616. 1617. 1618. 1619. 1620. 1621. 1622. 1623. 1624. 1625. 1626. 1627. 1628. 1629. 1630. 1631. 1632. 1633. 1634. 1635. 1636. 1637. 1638. 1639. 1640. 1641. 1642. 1643. 1644. 1645. 1646. 1647. 1648. 1649. 1650. 1651. 1652. 1653. 1654. 1655. 1656. 1657. 1658. 1659. 1660. 1661. 1662. 1663. 1664. 1665. 1666. 1667. 1668. 1669. 1670. 1671. 1672. 1673. 1674. 1675. 1676. 1677. 1678. 1679. 1680. 1681. 1682. 1683. 1684. 1685. 1686. 1687. 1688. 1689. 1690. 1691. 1692. 1693. 1694. 1695. 1696. 1697. 1698. 1699. 1700. 1701. 1702. 1703. 1704. 1705. 1706. 1707. 1708. 1709. 1710. 1711. 1712. 1713. 1714. 1715. 1716. 1717. 1718. 1719. 1720. 1721. 1722. 1723. 1724. 1725. 1726. 1727. 1728. 1729. 1730. 1731. 1732. 1733. 1734. 1735. 1736. 1737. 1738. 1739. 1740. 1741. 1742. 1743. 1744. 1745. 1746. 1747. 1748. 1749. 1750. 1751. 1752. 1753. 1754. 1755. 1756. 1757. 1758. 1759. 1760. 1761. 1762. 1763. 1764. 1765. 1766. 1767. 1768. 1769. 1770. 1771. 1772. 1773. 1774. 1775. 1776. 1777. 1778. 1779. 1780. 1781. 1782. 1783. 1784. 1785. 1786. 1787. 1788. 1789. 1790. 1791. 1792. 1793. 1794. 1795. 1796. 1797. 1798. 1799. 1800. 1801. 1802. 1803. 1804. 1805. 1806. 1807. 1808. 1809. 1810. 1811. 1812. 1813. 1814. 1815. 1816. 1817. 1818. 1819. 1820. 1821. 1822. 1823. 1824. 1825. 1826. 1827. 1828. 1829. 1830. 1831. 1832. 1833. 1834. 1835. 1836. 1837. 1838. 1839. 1840. 1841. 1842. 1843. 1844. 1845. 1846. 1847. 1848. 1849. 1850. 1851. 1852. 1853. 1854. 1855. 1856. 1857. 1858. 1859. 1860. 1861. 1862. 1863. 1864. 1865. 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1877. 1878. 1879. 1880. 1881. 1882. 1883. 1884. 1885. 1886. 1887. 1888. 1889. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900. 1901. 1902. 1903. 1904. 1905. 1906. 1907. 1908. 1909. 1910. 1911. 1912. 1913. 1914. 1915. 1916. 1917. 1918. 1919. 1920. 1921. 1922. 1923. 1924. 1925. 1926. 1927. 1928. 1929. 1930. 1931. 1932. 1933. 1934. 1935. 1936. 1937. 1938. 1939. 1940. 1941. 1942. 1943. 1944. 1945. 1946. 1947. 1948. 1949. 1950. 1951. 1952. 1953. 1954. 1955. 1956. 1957. 1958. 1959. 1960. 1961. 1962. 1963. 1964. 1965. 1966. 1967. 1968. 1969. 1970. 1971. 1972. 1973. 1974. 1975. 1976. 1977. 1978. 1979. 1980. 1981. 1982. 1983. 1984. 1985. 1986. 1987. 1988. 1989. 1990. 1991. 1992. 1993. 1994. 1995. 1996. 1997. 1998. 1999. 2000. 2001. 2002. 2003. 2004. 2005. 2006. 2007. 2008. 2009. 2010. 2011. 2012. 2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 2116. 2117. 2118. 2119. 2120. 2121. 2122. 2123. 2124. 2125. 2126. 212*



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 95-51-X

POMONA CORP. CENTRE /Legal Owner; SUNRISE
DEVELOPMENT, INC. -Petitioners
S/s Naylors Lane, 379' W of c/l Reisterstown
Road (3901 Naylors Lane)
3rd Election District
2nd Councilmanic District

SE -Class B Assisted Living Facility and
accessory group child care center

10/24/94 -Z.C.'s Order in which Petition was
GRANTED with restrictions.

ASSIGNED FOR:

THURSDAY, MARCH 30, 1995 at 10:00 a.m.

cc: Newton A. Williams, Esquire Counsel for Appellants
Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al Appellants

Howard L. Alderman, Jr., Esquire Counsel for Petitioner
Pomona Corp. Centre Ltd. Partnership Petitioner
William D. Shields /Sunrise Development, Inc. Petitioner
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner

Revised 2/17/95

Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
MELVIN BERGER

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco

W. Carl Richards /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

MACROFILMED

Kathleen C. Weidenhammer
Administrative Assistant



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP. 07 1994

Thomas B. Newell, Esq.
7929 Westpark Drive, Suite 400
McLean, Virginia 22101

RE: Item No. 52, Case No. 95-51-X
Petitioner: Pomona Corporate Centre/Sunrise Development

Dear Mr. Newell:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 10, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggs

MICROFILMED



95-57

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 29, 1994
Item No. 52

The Developers Engineering Section has reviewed the subject zoning item. See our previous Development Plan comments for this site.

RWB:sw

ENCLOSURES



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-19-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +52 (MJK)

95-51

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM

DATE: August 26, 1994

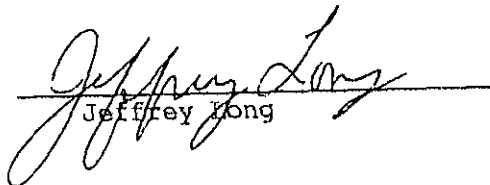
FROM: Jeffrey Long
Office of Planning & Zoning

SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following
Petitions:

ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
and 61.

Please contact me if you have any questions or require additional information.


Jeffrey Long

JL:bjs

RECEIVED

AUG 29 1994

ZADM

STEPHENS.JL/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE 95-51

August 24, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #52 - Sunrise of Pikesville
3901 Naylor's Lane
Zoning Advisory Committee Meeting of August 22, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with Regulations for Forest Conservation.

Ground Water Management

The existing well must be abandoned by a licensed well driller. A well abandonment report must be submitted to this office prior to approval of development.

✓
JLP:VK:TE:sp

SUNRISE/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/16/94

2557

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: POMONA CORPORATE CENTRE LTD. PARTNERSHIP

LOCATION: S/S NAYLORS LA., 379' W OF CENTERLINE REISTERSTOWN RD.,
(3901 NAYLORS LS.)

Item No.: 52

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED

AUG 19 1994

ZADM

REVIEWER: LT. ROBERT P. GAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-110PF

Let File



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 9, 1994

Thomas B. Newell, Esq.
7929 Westpark Drive, Suite 400
McLean, Virginia 22101

RE: Case No. 95-51-X, Item No. 52
Petitioner: Pomona Corporate Centre/Sunrise Development

Dear Mr. Newell:

Enclosed are copies of comments received from Office on Planning
and Zoning on September 8, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Joyce Watson

Enclosure

MICROFILMED



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 3901 Naylor's Lane

RECEIVED

SFD 8 1994

ZADM

INFORMATION:

Item Number: 52
Petitioner: Pomona Corporate Centre Ltd. Partnership
Property Size: _____
Zoning: O-1
Requested Action: _____
Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The proposed assisted living facility and day care center is located in the Pikesville Revitalization Plan area. The Pikesville Revitalization Plan (adopted by the County Council in 1991) suggests that there is a need for specialized senior housing. The proposed assisted living facility will complement Pikesville's diverse housing stock. The proposed assisted living facility and accessory day care will also yield fewer vehicle trips from the site than the previously approved 90,000 sq. ft. office building.

Given the negligible impact of the proposed uses on the surrounding community, the Office of Planning and Zoning supports the applicant's request for the proposed assisted living facility and accessory day care with the following recommendations.

- In an effort to ensure the privacy of the existing rectory, the petitioner should minimize disturbance of existing vegetation along the southeast border and install mature evergreen compact screening and a privacy fence along the southeast border.
- The Old Court Road Corridor Study (a document adopted by the Planning Board in 1984) recommends streetscaping sites developed along Old Court Road.

- In the previously approved plan for Naylor's Office Park, a mini-park was proposed on the southern portion of the property bordered by St. Marks Church Lane and Old Court Road. The Office of Planning and Zoning recommends that the previously approved mini-park be retained or a similar mini-park with street trees and a meandering wood chip path be installed.

The plat accompanying this request should be in conformance with the approved plan refinement.

Prepared by: _____

Jeffrey M. Long

Division Chief: _____

Gary L. Kenna

PK/JL:lw

BALTIMORE COUNTY, MARYLAND

95-51

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 3901 Naylor's Lane

INFORMATION:

Item Number: 52
Petitioner: Pomona Corporate Centre Ltd. Partnership
Property Size: _____
Zoning: O-1
Requested Action: _____
Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The proposed assisted living facility and day care center is located in the Pikesville Revitalization Plan area. The Pikesville Revitalization Plan (adopted by the County Council in 1991) suggests that there is a need for specialized senior housing. The proposed assisted living facility will complement Pikesville's diverse housing stock. The proposed assisted living facility and accessory day care will also yield fewer vehicle trips from the site than the previously approved 90,000 sq. ft. office building.

Given the negligible impact of the proposed uses on the surrounding community, the Office of Planning and Zoning supports the applicant's request for the proposed assisted living facility and accessory day care with the following recommendations.

- In an effort to ensure the privacy of the existing rectory, the petitioner should minimize disturbance of existing vegetation along the southeast border and install mature evergreen compact screening and a privacy fence along the southeast border.
- The Old Court Road Corridor Study (a document adopted by the Planning Board in 1984) recommends streetscaping sites developed along Old Court Road.

MICROFILMED

- In the previously approved plan for Naylor's Office Park, a mini-park was proposed on the southern portion of the property bordered by St. Marks Church Lane and Old Court Road. The Office of Planning and Zoning recommends that the previously approved mini-park be retained or a similar mini-park with street trees and a meandering wood chip path be installed.

The plat accompanying this request should be in conformance with the approved plan refinement.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL:lw

RECEIVED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 21, 1994

Howard Alderman, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Petition for Special Exception
S/S Naylor's Lane, 379' W of c/l
of Reisterstown Road
3901 Naylor's Lane
3rd Election District
2nd Councilmanic District
Legal Owner: Pomona Corp. Centre
Contract Purchaser: Sunrise
Development, Inc.-PETITIONERS
Case No. 95-51-X

Dear Mr. Alderman:

Please be advised that an appeal of the above-referenced case was filed in this office on November 14, 1994 by Newton A. Williams. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Eileen O. Hennegan at 887-3353.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:eoh

c: Jean Tansey, Daft, McCune and Walker, 200 E. Pennsylvania Ave, 21204
Mr. Whitney Wagner, 4215 Evergreen Lane, Annandale, VA 22003



Howard Alderman, Esquire
Page Two
November 21, 1994

Mr. William Shields, 9401 Lee Highway, Suite 300, Fairfax, VA 22031
Thomas B. Newell, Esquire, 7929 Westpark Drive, Suite 400, McLean,
VA 22101
Nancy Paige, Esquire, Garrett Building, 233 E. Redwood St, 21202
Rev. Robert H. Stucky, 1620 Reisterstown Rd., 21208
Mr. Sidney Friedman, Pikesville Chamber of Commerce, 1700
Reisterstown Rd, 21208
Newton A. Williams, Nolan, Plumhoff and Wulliams, Suite 700, Court
Towers, 210 W. Pennsylvania Avenue, Towson 21204
People's Counsel ✓

11/21/94

APPEAL

Petition for Special Exception
S/S Naylor's Lane, 379' W of the c/o Reisterstown Road
3901 Naylor's Lane
3rd Election District - 2nd Councilmanic District
Legal Owner: Pomona Corp. Centre
Contract Purchaser: Sunrise Development, Inc.-PETITIONERS
Case No. 95-51-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1A - Inter-office correspondence from Pat Keller to Arnold Jablon, dated August 29, 1994
1B - Inter-office correspondence from Pat Keller to Arnold Jablon, dated September 20, 1994
2 - No exhibit marked No. 2
3A-3H-8 Photographs
3I - Sunrise Recognitions and Awards
4 - Plat to accompany Petition for Special Exception
5 - Revised CRG Plan-Sunrise of Pikesville
6 - Plat and Plan to accompany Petition for Special Exception
Protestant's Exhibits: 1 - Sign Elevation and Plan
2 - Sketch of Sunrise Sign
Miscellaneous Correspondence - Daft-McCune and Walker-Agreement and exhibits (A through D)

Zoning Commissioner's Order dated October 24, 1994 (GRANTED)

Notice of Appeal received on November 14, 1994 from Newton A. Williams, Esquire

c: Howard Alderman, Esquire, 305 Chesapeake Ave, Suite 113, 21204
Ms. Jean Tansey, Daft, McDune & Walker, 200 E. Pennsylvania Ave. 21204
Mr. Whitney Wagner, 4215 Evergreen Lane, Annandale, VA 22003
Thomas B. Newell, Esq., 7929 Westpark Drive, Drive 400, McLean, VA 22101
Williams Shields, Sunrise Development, Inc., 9401 Lee Highway, Suite 300, Fairfax, VA 22031
Nancy Paige, Esq., Garrett Bldg., 233 E. Redwood Street 21202
Rev. Robert H. Stucky, 1620 Reisterstown Road, 21208
Mr. Sidney M. Friedman, Pikesville Chamber of Commerce, 1700 Reisterstown Road 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Patrick Keller, Director, Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Supervisor
Docket Clerk
Arnold Jablon, Director of ZADM

1/27/95 -Notice of Assignment for hearing scheduled for Thursday,
March 30, 1995 at 10:00 a.m. sent to the following:

Newton A. Williams, Esquire
Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al
Howard L. Alderman, Jr., Esquire
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc.
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner
Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
Carl Richards /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

3/30/95 -Postponed on record by N. Williams. Order of Dismissal submitted, along with copy of Settlement Agreement. Postponement requested and granted for purpose of allowing Mr. Williams to obtain necessary notarization of settlement agreement, which he will do promptly; will get back to Board within 4 or 5 days with finalized agreement. Appeal may then be dismissed per Dismissal being held in file. (H.S.B.)

MICROFILMED

LAW OFFICES

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
E. BRUCE JONES**
J. JOSEPH CURRAN, III

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340

(410) 823-7800

TELEFAX: (410) 296-2765

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

OF COUNSEL

T. BAYARD WILLIAMS, JR.

WRITER'S DIRECT DIAL
823- 7856

* ALSO ADMITTED IN D.C.

** ALSO ADMITTED IN NEW JERSEY

November 14, 1994

RECEIVED

NOV 14 1994

Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
Old Court House
Towson, Maryland 21204

ZADM

Re: Appeal on Behalf of Naylor's Lane Associates Limited Partnership ("NLALP") from Findings of Fact and Conclusions of Law Dated October 24, 1994, involving Pomona Corporation Center, Legal Owner, and Sunrise Development, Inc., Contract Purchaser, Special Exception and Other Relief for Property at 3901 Naylor's Lane, Pikesville, Baltimore County, Maryland

Dear Commissioner Schmidt:

95-51-X

On behalf of our clients Naylor's Lane Associates Limited Partnership ("NLALP"), namely Mr. Mark Hellman, Mr. John Doyle, et al., we respectfully appeal your Findings of Fact and Conclusions of Law dated October 24, 1994, to the County Board of Appeals for Baltimore County.

Among the other grounds of this appeal are the following:

1. A failure to recognize and safeguard the right of NLALP to access Naylor's Lane by means of an existing driveway, which crosses the northwest corner of the subject property;

2. The right of NLALP to access St. Mark's Lane, located at the rear of the subject property, and at the rear of our client's property, which Lane adjoins both properties on the south side;

3. The failure to recognize, and the purported exclusion pursuant to an agreement with certain neighbors in Zoning File 95-51-X, incorporated as Condition Two of the Order in the instant case, which would purport to exclude NLALP from access to Old Court Road at the south side of its property, across a small portion of the Pomona property. As well as the failure to recognize, the need, and the right to connect to the eight inch sanitary sewer, storm drains, water lines, etc. as well as a fifteen inch storm drain in the bed of St. Mark's Lane, the latter of which touches the southwest corner of the NLALP property.

November 14, 1994
Page Two

4. For such other and further reasons as shall be brought out in the course of this appeal, and at the time of any hearing hereon.

A check in the amount of \$320.00, representing the \$250.00 appeal fee, and two signs at \$35.00 each, one for the Naylor's Lane frontage and one for the Old Court Road frontage of the Pomona property is enclosed herewith.

Thanking your staff and the staff of the Board of Appeals for your attention to this matter, I am

Respectively,



Newton A. Williams

NAW:mao
encl.

cc: Honorable William T. Hackett, Chairman
County Board of Appeals

Thomas B. Newell, Esquire
General Counsel for Pomona Corporation Centre

Howard Alderman, Esquire
Zoning Counsel for Pomona Corporation Centre

Nancy Paige, Esquire

Father H. Stucky, St. Mark's On The Hill Episcopal Church

LAW OFFICES

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
E. BRUCE JONES**
J. JOSEPH CURRAN, III

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340

(410) 823-7800

TELEFAX: (410) 296-2765

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

OF COUNSEL

T. BAYARD WILLIAMS, JR.

WRITER'S DIRECT DIAL
823-7856

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

November 14, 1994

Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
Old Court House
Towson, Maryland 21204

Re: Appeal on Behalf of Naylor's Lane Associates Limited Partnership ("NLALP") from Findings of Fact and Conclusions of Law Dated October 24, 1994, involving Pomona Corporation Center, Legal Owner, and Sunrise Development, Inc., Contract Purchaser, Special Exception and Other Relief for Property at 3901 Naylor's Lane, Pikesville, Baltimore County, Maryland

Dear Commissioner Schmidt:

On behalf of our clients Naylor's Lane Associates Limited Partnership ("NLALP"), namely Mr. Mark Hellman, Mr. John Doyle, et al., we respectfully appeal your Findings of Fact and Conclusions of Law dated October 24, 1994, to the County Board of Appeals for Baltimore County.

Among the other grounds of this appeal are the following:

1. A failure to recognize and safeguard the right of NLALP to access Naylor's Lane by means of an existing driveway, which crosses the northwest corner of the subject property;

2. The right of NLALP to access St. Mark's Lane, located at the rear of the subject property, and at the rear of our client's property, which Lane adjoins both properties on the south side;

3. The failure to recognize, and the purported exclusion pursuant to an agreement with certain neighbors in Zoning File 95-51-X, incorporated as Condition Two of the Order in the instant case, which would purport to exclude NLALP from access to Old Court Road at the south side of its property, across a small portion of the Pomona property. As well as the failure to recognize, the need, and the right to connect to the eight inch sanitary sewer, storm drains, water lines, etc. as well as a fifteen inch storm drain in the bed of St. Mark's Lane, the latter of which touches the southwest corner of the NLALP property.

*Note -
fact to post
2 pages
Old Court
Naylor's
Lane
when appeal
comes from
2 ADM.*

November 14, 1994
Page Two

4. For such other and further reasons as shall be brought out in the course of this appeal, and at the time of any hearing hereon.

A check in the amount of \$320.00, representing the \$250.00 appeal fee, and two signs at \$35.00 each, one for the Naylors Lane frontage and one for the Old Court Road frontage of the Pomona property is enclosed herewith.

Thanking your staff and the staff of the Board of Appeals for your attention to this matter, I am

Respectively,

Newton A. Williams

Newton A. Williams

NAW:mao
encl.

cc: Honorable William T. Hackett, Chairman
County Board of Appeals

Thomas B. Newell, Esquire
General Counsel for Pomona Corporation Centre

Howard Alderman, Esquire
Zoning Counsel for Pomona Corporation Centre

Nancy Paige, Esquire

Father H. Stucky, St. Mark's On The Hill Episcopal Church

NAYLORS LANE ASSOCIATES
LIMITED PARTNERSHIP

332

7-18 0886
520

PAY TO THE
ORDER OF Baltimore County

November 8, 1994

\$ 320.00

DOLLARS

MARYLAND NATIONAL BANK
TOWSON, MARYLAND 21204

PROFESSIONAL BANKING GROUP
HELMAN INVESTMENT CORP. Gen'l Partner
William Helman President

000033200520001681

21155211

3/30/95 Had dismissal
pending notarization of
agreement; to be
advised of same by
Newton w/in 4 or 5
days. Then dismissal.
KAC

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM R. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
E. BRUCE JONES**
J. JOSEPH CURRAN, III
STUART A. SCHADT

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES D. NOLAN
(RETIRED 1980)
J. EARLE PLUMHOFF
(1940-1988)
RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823

7856

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

April 13, 1995

The Honorable William Hackett, Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

Re: Sunrise Development, Inc.

Dear Chairman Hackett:

Confirming my recent appearance for the record before the Board on Thursday, March 30, 1995, I am pleased to tell you that we have now concluded the necessary Settlement Agreement and Deed of Easement, and wish to direct the Board to act upon the Order of Dismissal, another copy of which is enclosed, which was filed with the Board on March 30th.

Secondly, by a carbon copy of this letter directed to Ron Fish, Esquire, we are directing to him an executed copy of the Deed of Easement which at the time of settlement with Sunrise is to be recorded immediately following the Deed to Sunrise from the sellers, and senior to any and all financing.

Parenthetically, we look forward to receiving back the Grading and Landscape Agreement, executed by Sunshine, and to be executed by our clients, but that need not delay this settlement.

Thanking the Board and everyone concerned for their cooperation, I am

Respectfully,

Newton A. Williams

Newton A. Williams

NAW/vrs

Enclosure

cc: Ronald P. Fish, Esquire
Mr. Billy Shields
Mrs. Jean Tansey
Mr. Mark Helman
Mr. John Doyle
Mr. Mark Segall
Mr. Art Trout

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT, made this 28TH of MARCH, 1995, by and between SUNRISE DEVELOPMENT, INC. and CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP, (hereinafter collectively called "Sunrise"), and NAYLORS OFFICE PARK LIMITED PARTNERSHIP (hereinafter called "Naylors"), parties of the first party, and NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP, (hereinafter called "Naylors Lane"), party of the second part.

WHEREAS, Naylors is the fee simple owner of a tract of land located on Naylors Lane in the Third Election District of Baltimore County, containing 4.27 acres, more or less, formerly known as "Naylors Office Park", more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7488, folio 799, (hereinafter called the "Property"); and

WHEREAS, Sunrise is the contract purchaser of the Property; and

WHEREAS, Sunrise wishes to construct a Class B assisted living facility and a child care facility on the Property; and

WHEREAS, a special exception by the Baltimore County Zoning Commissioner is required to permit such use of the Property; and

WHEREAS, Sunrise has applied for the granting of a special exception and a hearing on the said application was held on September 30, 1994; and

WHEREAS, in Case No. 95-51-X, by the Findings of Fact and Conclusions of Law dated October 24, 1994, the aforesaid special exception was granted for the Property; and

WHEREAS, Naylors Lane is the owner of an adjoining property immediately to the west of the Property, of approximately 1.01 acres, which property is described in a deed recorded among the Land Records of Baltimore County at Liber 7880, folio 485, hereinafter called the Naylors Lane Property;

MICROFILMED

WHEREAS, Naylor Lane has noted the only appeal from the Findings of Fact and Conclusions of Law of October 24, 1994, concerning the Property, for the reasons set out in its appeal letter of November 14, 1994; and

WHEREAS, Sunrise is the contract purchaser of the Property, and is proposing the class B assisted living facility and a child care facility on the Property, pursuant to the aforesaid zoning approval; and

WHEREAS, Naylor Lane, party of the second part, and Sunrise Development, Inc., and Naylor Office Park Limited Partnership, have come to an agreement with regard to certain access and utility matters; and

WHEREAS, the parties hereto, wish to embody these agreements in this Settlement Agreement; and

WHEREAS, upon the full signature, and approval of this Settlement Agreement, and amendment and County approval of the Sunrise Site Plan to reflect this Settlement Agreement, Naylor Lane agrees to dismiss its appeal from the aforesaid zoning approval, amended as herein agreed.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained and the payment of the sum of Five Dollars (\$5.00) from each party to the other and for other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby enter into this Settlement Agreement for the purpose of establishing covenants, restrictions and conditions, access and utility easements, and other matters, as set forth herein which shall become effective as hereinafter set out, and upon becoming effective they shall thereafter run with and be binding on the Property and upon the present and/or future owners thereof, in perpetuity, and shall inure to the benefit of all of the parties hereto, their successors, their respective personal representatives, heirs and assigns.

ACCESS EASEMENT(S)

1. Sunrise and Naylor's to the extent set forth herein, agree that the adjoining Naylor's Lane Associates Limited Partnership Property shall have the right to access Old Court Road by means of the proposed connection to the Sunrise driveway, as shown on an "entrance alternative sketch plan," entitled "Sunrise, 1 inch equals 30 feet, 88038.G1 Entrance Alternative," attached hereto and hereby made a part hereof, as Exhibit 1, and the attached Deed of Easement, Exhibit 2, both of which are incorporated by reference herein.

This perpetual easement for vehicular and pedestrian access shall be utilized across the Property, basically as shown on Exhibit 1, attached hereto, for the benefit of the Naylor's Lane Associates Limited Partnership Property for any lawful use including, but not only, vehicular and pedestrian ingress and egress, both public and private.

At such time as the Naylor's Lane Associates Limited Partnership Property shall be developed, Naylor's Lane, its successors and assigns, shall have the right to construct open and maintain such driveway connection and access driveway to Old Court Road across the Property, basically as shown on Exhibit 1, attached hereto, and hereby made a part hereof, whether the Property shall have been developed or not, pursuant to the attached Exhibits 1 and 2.

Naylor's Lane, its successors and assigns, shall share the cost of maintenance for that portion of the common driveway between Old Court Road and its access driveway as shown on Exhibit 1, attached hereto, with the owner or owners of the Property, in proportion to the respective number of parking spaces on the Sunrise Property and the Naylor's Lane Property, respectively, once both the Property and the Naylor's Lane Property have been developed; until both are developed, the party building the driveway shall maintain it, as set out in the attached Deed of Easement, Exhibit 2.

UTILITY EASEMENTS

2. Sunrise Development, Inc., Constellation/Sunrise Pikesville Limited Partnership, Naylor's Office Park Limited Partnership, to the extent set forth herein, and each and all of them as may be applicable, hereby agree to grant in perpetuity to Naylor's Lane Associates Limited Partnership, and the property it owns described in a deed recorded among the Land Records of Baltimore County in Liber 7880, folio 485, such utility and access easements at the southwestern corner of the Property, basically as shown on a Plan attached hereto and incorporated by reference herein entitled "Easement Areas Sunrise Retirement Homes", dated December 9, 1994, attached hereto as Exhibit 3 and incorporated herein, and as set out in Exhibit 2, the attached Deed of Easement.

In connection with the full effectuation of the access and utility easements heretofore agreed upon, Sunrise Development, Inc., Constellation/Sunrise Pikesville Limited Partnership, Naylor's Office Park Limited Partnership, to the extent set forth herein, and each and all of them further agree to grant the proposed access easement as shown on same plat attached hereto as Exhibit 3, as set out in the attached Deed of Easement, Exhibit 2, including any and all rights in the former bed of St. Mark's Lane, nominally lying within the Property in order to carry out the full vehicular and pedestrian access to and from the Naylor's Lane Associates Limited Partnership Property as aforesaid, to the proposed Sunrise driveway, and thence to Old Court Road, as well as full utility access as aforesaid.

OBLIGATIONS OF NAYLOR'S LANE ASSOCIATES LIMITED PARTNERSHIP

3. It is agreed, upon the approval and recording of appropriate instruments to effectuate paragraphs 1 and 2 hereof, that Naylor's Lane Associates Limited Partnership, agrees to release and extinguish by proper instruments duly recorded, any and all rights that it may have to cross the

northwestern corner of the Property by virtue of a Declaration of Cross Easement between Ervin B. Golboro and wife, and Frederick J. Nassauer and wife, dated April 13, 1977, and recorded among the Land Records of Baltimore County at Liber 5796, folio 412, or any other instrument previously recorded or executed, which provisions and surrender are covered in the attached Deed of Easement, Exhibit 2.

CONDITIONS AFFECTING THE VALIDITY AND OPERATION
OF THIS SETTLEMENT AGREEMENT

4. It is hereby mutually agreed by and between the parties hereto, that this Settlement Agreement shall be based upon the following events occurring:

a. The utilization by Naylor Lane Associates Limited Partnership, its successors and assigns, of the utility easements and/or access easements within ten (10) years from the date of this Settlement Agreement, by actual construction of the driveway and/or installation of one or more of such utilities. It is agreed that at any time during the said ten (10) year period, that Naylor Lane shall have the right to build and open the driveway connection whether Sunrise or the other parties of the first part have developed or not, as well as the right to build and maintain the utility connections, all as set out in Exhibit 2, the attached Deed of Easement. If not utilized within ten (10) years this right shall terminate and be of no further force or effect.

b. As to Sunrise or any assignee, or other party to this Agreement: (i) the final award of a special exception for a Class B assisted Living Facility; and this Settlement Agreement will be included in any such special exception, by being included as a part of the Order therefor; (2) the approval of a Site Plan for such a facility; and (3) the purchase of the Property by Sunrise, or any assignee of Sunrise.

c. Upon the occurrence of required contingent event or events under this Settlement Agreement and the opening

and use of the driveway connection to Old Court Road, Naylor's Lane shall automatically be deemed to have abandoned and relinquished any claim or right to use the bed of St. Marks Lane beyond the easternmost boundary of the Property or any point to the east thereof for vehicular or pedestrian access, as shown on Exhibit 1, previously attached hereto, and hereby made a part hereof.

d. It is further agreed that if Sunrise, any party to this Agreement, any assignee, successor, or assigns, of any of the above parties shall develop the Property for an assisted living facility and/or child care facility pursuant to Case No. 91-51-X, or any modification or variation thereof, that this Settlement Agreement, including but not only, the provisions as to driveway or utility access, shall be submitted to, and included in any decision and/or Order, and a separate Deed of Easement Agreement implementing this Agreement, shall be recorded among the Land Records of Baltimore County at the time of such development, case modification or Order, whichever shall first occur.

5. It is agreed that a Deed of Easement, attached hereto, and made a part hereof as Exhibit 2, shall be executed along with this Settlement Agreement, and both shall be held in escrow by Commonwealth Land Title Company with irrevocable instructions to record it following settlement with any Deed or Deeds to the property prior to any mortgage, deed of trust or any other encumbrance, by Sunrise, any assignee, or any party to this Agreement, or it may be recorded by any party hereto in the event that Sunrise, any assignee of Sunrise, or Naylor's, or any assignee of Naylor's shall proceed to develop any assisted living facility and/or child care facility on the Property pursuant to the terms of the special exception and the Findings of Fact and Conclusions of Law in Case No. 95-51X, as granted or subsequently amended or modified.

6. All agreements, covenants, restrictions and conditions contained in this Settlement Agreement shall be binding upon and shall inure to the benefit of the parties, their successors, heirs, personal representatives and assigns, and shall run with the land and be binding upon the Property hereinbefore referred to, in favor of the Naylor's Lane Property and upon the Naylor's Lane Property in favor of the Property.

7. The failure to enforce any of the covenants, restrictions, conditions and easements herein contained in any instance shall in no event constitute a waiver or estoppel of the right to enforce the same or any other easement, covenant, restriction and condition in the event of any violation of this Settlement Agreement. Furthermore, in the event that any one or more of the easements, covenants, restrictions, and conditions herein contained shall be for any reason declared invalid, the remaining portions of this Agreement including all easements, covenants, restrictions and conditions shall continue in full force and effect.

8. The restrictions herein may be enforced by injunction, declaratory judgment, specific performance, or other appropriate legal or equitable remedy.

9. This Settlement Agreement is entered into in Baltimore County, State of Maryland, and shall be interpreted in accordance with the laws of Maryland.

10. All the parties hereto warrant that they are the owners or contract purchasers, as the case may be, of the Property and the Naylor's Lane Property, and that they now have and will have at the time of settlement herein the legal power and right to enter into this Settlement Agreement, and that they are the only parties and entities required to make this Settlement legally binding between the parties.

WHEREFORE, the parties hereto have set their hands and affixed their seals on the day, month and year first above written.

WITNESS/ATTEST:

With D Sills

With D Sills

[Signature]

[Signature]

CONSTELLATION/SUNRISE PIKESVILLE
LIMITED PARTNERSHIP

By: [Signature] (SEAL)

SUNRISE DEVELOPMENT, INC.

By: [Signature] (SEAL)

NAYLORS OFFICE PARK LIMITED
PARTNERSHIP

By: [Signature] (SEAL)

NAYLORS LANE ASSOCIATES LIMITED
PARTNERSHIP

By: Morris Helman Pres (SEAL) *General Partner*

STATE OF ^{VIRGINIA}~~MARYLAND~~, COUNTY OF ^{FAIRFAX}~~BALTIMORE~~, to wit:

I HEREBY CERTIFY, that on this 28th day of MARCH, 1995, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared DAVID FAEDER, on behalf of CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP and he acknowledged the foregoing document to be his free and voluntary act.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires: 12/31/96

STATE OF VIRGINIA, COUNTY OF FAIRFAX, to wit:

I HEREBY CERTIFY, that on this 28th day of MARCH, 1995, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared DAVID FAEDER, on behalf of SUNRISE DEVELOPMENT, INC. and he acknowledged the foregoing document to be his free and voluntary act.

AS WITNESS my hand and Notarial Seal.

Linda Bolino
Notary Public

My Commission Expires: 12/31/96

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 24th day of MARCH, 1995, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared HOWARD M. SARGSTEIN, on behalf of NAYLORS OFFICE PARK LIMITED PARTNERSHIP and he acknowledged the foregoing document to be his free and voluntary act.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires: 1/1/98

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 24th day of MARCH, 1995, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Morris Helman, on behalf of NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP and he acknowledged the foregoing document to be his free and voluntary act.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires: 10/1/98

8679C/NAW

GRADING AND LANDSCAPE AGREEMENT

THIS GRADING AND LANDSCAPE AGREEMENT, made this ____ day of _____, 1995, by and between CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP ("Sunrise") and NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP ("Naylors").

WHEREAS, Naylors is the fee simple title owner of certain real property lying and being in Baltimore County, Maryland, formerly known as Naylors Office Park and more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7488, folio 799 (the "Property").

WHEREAS, Sunrise is the contract purchaser of the Property under that certain Purchase Agreement dated April 28, 1994 by and between Naylors and Sunrise Development, Inc., as assigned to Sunrise pursuant to that certain Assignment Agreement dated December 30, 1994; and

WHEREAS, Naylors is also the fee simple title owner of an approximately 1.01 acre tract of real property located adjacent to the Property and more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7800, folio 485 (the "Naylors Lane Property"); and

WHEREAS, Naylors has agreed to allow Sunrise to grade the Property and clean up and maintain the Naylors Lane Property as set forth below.

NOW THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree follows:

1. Naylors hereby certifies that it has reviewed the grading plan dated _____ (the "Plan"), attached hereto as Exhibit A and incorporated herein, for the Sunrise at Pikesville project on the Property, and consents to Sunrise entering the Property in order to grade the Property in the manner shown on the Plan.

2. Naylors further certifies that Sunrise shall have the right to enter upon the Naylors Lane Property for the purpose of removing debris and loose vegetation from said property. Sunrise's sole purpose for such maintenance is for safety and appearance, and Sunrise hereby certifies that it will not remove any standing trees from the Naylors Lane Property.

3. This Agreement shall remain in full force and effect until the parties execute a written agreement terminating the same.

WITNESS the following signatures and seals:

WITNESS

CONSTELLATION/SUNRISE
PIKESVILLE LIMITED PARTNERSHIP

By: _____
Name: _____
Title: _____

WITNESS

NAYLORS LANE ASSOCIATES LIMITED
PARTNERSHIP

By: _____
Name: _____
Title: _____

BCMD GRID MERIDIAN

VESTRY OF ST MARKS
ON THE HILLS
W.P.C. 551 / 230

POMONA CORPORATE CENTRE
LIMITED PARTNERSHIP
SM 7774 / 325

LIMITED NAYLORS LANE ASSOC.
PARTNERSHIP SM 7580 / 425

ST. MARKS CHURCH
(PRIVATE)
LANE (33' RW)

S 89° 32' 30" E 187.06'

95.28'

307.28'

N 48° 42' 30" E 132.00'

S 67° 54' 12" E 25.70'
R = 68.00'
L = 8.91'
CHD = 846° 16' 33" W, 8.91'

ACCESS 0.01 AC. ±
R = 52.00'
L = 47.51'
CHD = 516° 31' 12" W, 63.18'

167° 54' 12" W 17.05'

N 16° 58' 11" W, 3.50'
R = 15.00', L = 3.02'
CHD = 111° 12' 05" W, 3.02'

COURT ROAD
(70' RW)

OLD



UTILITY EASEMENT
0.008 AC. ±

POMONA CORPORATE CENTRE
LIMITED PARTNERSHIP
PROPERTY
(SM 7774 / 325)
3RD ELECTION DISTRICT BALT. CO. MD
SCALE: 1" = 30' FEB. 28, 1995

DMW

Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Job# 88038 GX.

DEED OF EASEMENT

THIS DEED OF EASEMENT, made this 28th day of MARCH, 1995, by and between CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP hereinafter referred to as "Grantor," and NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP, hereinafter referred to as "Grantee".

WHEREAS, Grantor is the fee simple title owner of certain real property lying and being in Baltimore County, Maryland, formerly known as Naylors Office Park and more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7488, folio 799 (the "Property"), being the same property conveyed to Grantor pursuant to that certain Deed dated _____ and recorded among the land records of Baltimore County in Liber ____, folio ____; and

WHEREAS, Grantee is the fee simple title owner of an approximately 1.01 acre tract of real property located adjacent to the Property and more fully described in a Deed recorded among the Land Records of Baltimore County at Liber 7800, folio 485 (hereinafter referred to as either "Grantee's Land" or the "Naylors Lane Property"); and

WHEREAS, Grantor desires to sell, grant and convey to Grantee certain easements pertaining to that certain portion of the Property described on Exhibit A ("the Access Easement") and Exhibit B ("the Utility Easements") attached hereto and by this reference made a part hereof with rights and privileges as described below; and

WHEREAS, Grantee desires to vacate and release certain rights of access and other easements located on the Property as set forth more fully hereinbelow.

NOW THEREFORE, in consideration of the promises and the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree follows:

1. The Access Easement. The Grantee shall have the non-exclusive right to utilize the Access Easement as indicated on Exhibit A, in common with Grantor and its invitees and others authorized by Grantor, for pedestrian and vehicular access to Old Court Road from Grantee's Land. Grantee, in conjunction with the development of Grantee's Land, shall have the right to construct, open, and maintain a driveway connection and access driveway to Old Court Road in the Access Easement area. The Access Easement shall run with the title to Grantee's Land, as well as with the

title to the Grantor's Land. Grantee and Grantor, and their successors in interest, shall share the cost of maintenance of that portion of the common driveway between Old Court Road and any access driveway constructed within the Access Easement at such time as the Property and Grantee's Land have been developed, with such expenses to be divided in accordance with the ratio of parking spaces on the Property and Grantees Property. Until such time as both properties are developed, the party which constructs the access driveway shall be responsible for maintaining it.

2. Utility Easement. Grantor further grants to Grantee the non-exclusive right to construct and maintain underground utilities, including but not limited to gas lines, electric lines and water and sewer lines, within the Utility Easement area. Grantee agrees that it will not damage other utilities which may be located within the Utility Easement and agrees to indemnify Grantor and its successor in interest against such damage or the claims of third parties resulting from Grantees utilization of the Utility Easement. The party which performs the initial installation or any repair of such underground utilities shall be responsible for restoring the easement area as closely as possible to its condition prior to such installation or repair.

3. Vacation and Release of Golboro and Nassauer Easements. In consideration for the easements granted by Grantor hereunder, Grantee does hereby irrevocably vacate and release all other rights of access or other easements with respect to the Property, including the right to cross the northwestern corner of the Property by virtue of a Declaration of Cross Easement between Ervin B. Golboro and wife, and Frederick J. Nassauer and wife, dated April 13, 1977, and recorded among the Land Records of Baltimore County at Liber 5796, folio 412 or under any other agreement or source. In addition, upon utilization of the Access Easement, Grantee shall automatically be deemed to have abandoned and relinquished any claim or right to use the bed of St. Marks Lane beyond the easternmost boundary of the Property or any point to the east thereof for vehicular or pedestrian access.

4. Termination of Easements. The parties agree that the easements and rights granted to Grantee by Grantor hereunder shall automatically terminate and be of no further force and effect unless Grantee has actually utilized the Access Easement by constructing the access driveway within such easement and/or utilized the Utility Easements by constructing one or more utilities within such easement on or before March 1, 2005. Grantee agrees that Grantor may execute, on behalf of Grantee as attorney in fact, and record among the land records of Baltimore County a termination document if such conditions have not been met.

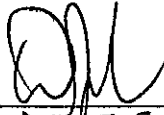
5. Covenants Running with the Land. Grantor agrees that the agreements and covenants stated in this Deed of Easement are not covenants personal to the Grantee but are covenants running with the land which are and shall be binding upon the Grantor, his heirs, personal representatives, successors and assigns.

6. Parties Included. Wherever used herein, the terms Grantor and Grantee shall be deemed to include their successors, assigns, agents, contractors and sub-contractors.

WITNESS the following signatures and seals:

GRANTOR:

CONSTELLATION/SUNRISE
PIKESVILLE LIMITED PARTNERSHIP

By: 
Name: DAVE FAEDER
Title: Treas

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit

⁹⁵ I hereby certify that on this 28th day of MARCH, 1994, before me, a Notary Public of the Commonwealth of Virginia, the undersigned officer, personally appeared DAVID FAEDER, the TREASURER of Constellation/Sunrise Pikesville Limited Partnership, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public

My commission expires:

12/31/96

GRANTEE:

NAYLORS LANE ASSOCIATES LIMITED
PARTNERSHIP, by Helman Investment Corp, G.P.

By: Morris Helman
Name: Morris Helman
Title: Pres

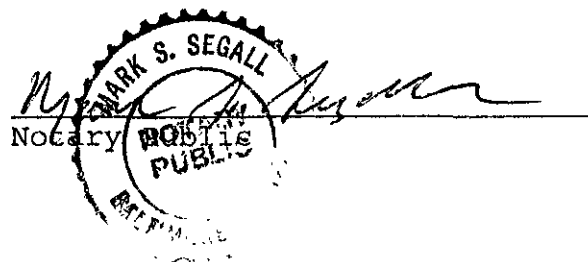
STATE OF MARYLAND
COUNTY OF BALTIMORE, to-wit

I hereby certify that on this 24th day of March, 1995, before me, a Notary Public of the State of Maryland, the undersigned officer, personally appeared Morris Helman, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires:

10/1/98



I hereby certify that I am an attorney duly admitted to practice before the Maryland Court of Appeals and that this instrument was prepared under my supervision.

Kerrin M. McCormick
Kerrin M. McCormick

BCMD GRID MERIDIAN

VESTRY OF ST MARKS
ON THE HILLS
WPC 551 / 230

POMONA CORPORATE CENTRE
LIMITED PARTNERSHIP
SM 7774 / 325

LIMITED MAYLORS LANE ASSOC.
LIMITED PARTNERSHIP SM 7866425

ST. MARKS CHURCH
(PRIVATE)
LANE (33' RW)

S 39° 32' 30"E 187.06'

361° 54' 12"E 35.70'
R=68.00'
L=8.71'
CHD=S46° 16' 33"W, 8.71'

ACCESS EASEMENT
0.00 AC. ±

307.28' 40.00' 95.28'

N 48° 42' 30"E 132.00'

N 16° 58' 11"W, 3.50'
R=15.00', L=3.02'
CHD=N 12° 05' W, 3.02'

COURT
(70' RW)

ROAD



UTILITY EASEMENT
0.008 AC. ±

POMONA CORPORATE CENTRE
LIMITED PARTNERSHIP
PROPERTY
(SM 7774 / 325)
3RD ELECTION DISTRICT BALT. CO. MD.
SCALE: 1" = 30' FEB. 28, 1995

DMW

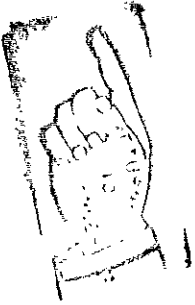
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

JCS* 88038 GX.



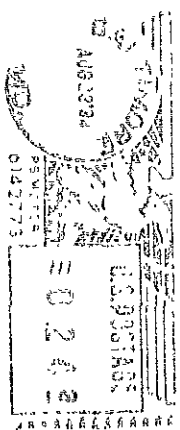
Baltimore County Office of Zoning Administration
 and Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204



Transferring Smith #3

Pdmona Corporate Centre Ltd
 102220 S. Dolfield Road
 Owings Mills, MD 21117

RECEIVED
 SEP 7 1994



RECEIVED

SEP 7 1994

ZADMA

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 19, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-51-X (Item 52)
3901 Naylors Lane
S/S Naylors Lane, 379' W of c/l Reisterstown Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Pomona Corporate Centre Limited Partnreship
Contract Purchaser(s): Sunrise Development, Inc.
HEARING: TUESDAY, SEPTEMBER 20, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class B Assisted Living Facility and accessory group child care.

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Thomas B. Newell, Esq.
Sunrise Development, Inc.
Pomona Corporate Centre Ltd. Ptrshp.

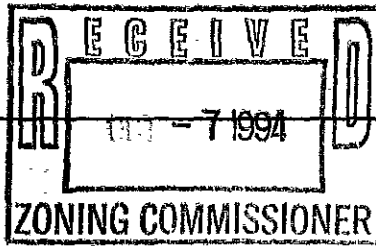
NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410-296-3333
Fax 296-4705



A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

To: LARRY SCHMIDT
ZONING COMMISSIONER

Date: 10.7.94Job No.: 88038.5

Attention: _____

Reference: SUNRISE of Pikesville

We are sending you

- ☐ Shop drawings
☐ Specifications

- ☒ attached
☐ Samples

☐ under separate cover:

- ☒
- Plans

☒ via DW

Copies	Date	Number	Description
1			AGREEMENT W/COMMUNITY & EXHIBITS
1			FULL SIZE EXHIBIT 'A'

These are transmitted as checked below:

- ☐ For approval
☒ For your use
☐ As requested
☐ For review and comment

- ☐ Approved as submitted
☐ Approved as noted
☐ Returned for corrections

- ☐ Resubmit
☐ Submit
☐ Return

_____ copies for approval
_____ copies for distribution
_____ corrected prints

Remarks THOUGHT THIS MAY BE HELPFUL IN DRAFTING
YOUR ORDER. COUPLE OF THINGS YOU SHOULD KNOW:
1. EXHIBIT 'A' IS DATED 10.5.94, NOT 9.20.94 AS
COVENANT SAYS (!?) OOPS.
2. EXHIBIT 'C' WILL HAVE 2 DIFFERENT SIGN ELEVATIONS
BEFORE IT IS RECORDED.
HAVE A GREAT WEEKEND!

cc: BILL SHIELDS, SUNRISESigned [Signature]

MICROFILMED

THIS AGREEMENT, made this _____ day of October, 1994 by and between SUNRISE DEVELOPMENT, INC. ("Sunrise"), and NAYLORS OFFICE PARK LIMITED PARTNERSHIP ("Naylors"), parties of the first part, and THE PINE RIDGE ASSOCIATION, INC., GORDON E. SUGAR, NANCY E. and DAVID M. PAIGE, and ST. MARKS ON-THE-HILL EPISCOPAL CHURCH (the "Church"), parties of the second part, all of the said parties being in Baltimore County, State of Maryland.

WHEREAS, Naylors is the fee simple owner of a tract of land located on Naylors Lane in the Third Election District of Baltimore County containing 4.27 acres, more or less, formerly known as "Naylors Office Park," (the "Property"); and

WHEREAS, Sunrise is the contract purchaser of the Property; and

WHEREAS, Sunrise wishes to construct a Class B Assisted Living facility and a child care facility on the Property; and

WHEREAS, a special exception by the Baltimore County Zoning Commissioner is required to permit such use of the Property; and

WHEREAS, Sunrise has applied for the granting of a special exception and a hearing on said application was held on September 20, 1994; and

WHEREAS, the parties of the second part have agreed not to oppose the granting of the necessary special exception upon the execution of this Agreement by the parties of the first part.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained and the payment of the sum of

MICROFILMED

Five (\$5.00) Dollars from each party to the other and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby enter into this Agreement for the purpose of establishing covenants, restrictions and conditions set forth herein which shall become effective as and to the extent provided in paragraph VI hereof, and shall thereafter run with and be binding upon the Property and upon the present and/or future owners thereof, for the duration specified in paragraph VI, and shall inure to the benefit of all of the parties hereto, their respective personal representatives, heirs and assigns.

I. Sunrise and Naylor to the extent set forth herein, agree that the use of the Property shall be restricted in the following manner:

1. Except as specifically modified by this Agreement, the Property shall be developed substantially in accordance with the plat entitled "Plan and Plat to Accompany Petition for Special Exception, Sunrise of Pikesville Class B Assisted Living Facility, issue date August 8, 1994, Revised as of September 20, 1994, prepared by Daft-McCune-Walker, Inc., which plat is attached hereto as Exhibit "A" and made a part hereof (the "Plan").

2. There shall be no more than 50 parking spaces constructed or maintained on the Property.

special exception, the parties of the second part agree not to pursue or encourage any appeal therefrom and thereby allow the special exception to be granted.

III. All agreements, covenants, restrictions and conditions contained in this instrument shall be binding upon and inure to the benefit of the heirs, successors, and assigns of the parties hereto and shall run with the land and be binding upon the Property hereinbefore referred.

IV. The failure to enforce any of the covenants, restrictions and conditions herein contained in any instance shall in no event constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction, and condition in the event of any violation of the herein contained covenants. Moreover, in the event that any one or more of the covenants, restrictions, and conditions herein contained shall be for any reason declared invalid, the remaining covenants, restrictions and conditions shall continue in full force and effect.

V. The restrictions contained herein may be enforced by injunction.

VI. The mutual agreements, covenants, restrictions and conditions contained in paragraphs I, 1 through 14 of this Agreement shall become effective upon the granting of a grading permit on or before September 16, 1994 permitting the commencement of the development reflected on the Plan, provided

that if no grading permit is issued before that date, the aforesaid mutual agreements, covenants, restrictions and conditions shall become effective upon the granting of a special exception and the expiration of all appeal periods and the denial of all appeals to permit the use of the Property for an assisted living facility; provided that the provisions of paragraph I, 7, above, shall expire and be of no further force and effect as of January 1, 2045, and all other covenants, agreements, rights and restrictions hereunder shall expire and be of no further force and effect as of January 1, 2015, or such earlier time as the Property ceases to be used for the purposes set forth in the special exception granted to Sunrise as depicted on the Plan. In the event Sunrise does not purchase the Property, these covenants shall apply if Naylors or its successor develops the Property pursuant to the Plan; but shall not apply if the Property is not developed pursuant to the Plan for the purposes set forth in the special exception, in which latter event, the special exception shall be deemed abandoned and the Plan withdrawn, and any development of the Property thereafter shall be subject to the process for approval of development then in force in Baltimore County. In furtherance thereof, the parties of the second part have executed a Release of this Agreement in the form attached hereto as Exhibit D, and have delivered the same, in escrow, to Ronald P. Fish, Esquire, 300 E. Lombard Street, Baltimore, MD. 21202. Said Release shall be

released from escrow and recorded in the Land Records of Baltimore County upon satisfaction of the following conditions:

(1) Written notice from Naylor's or its successor to the parties of the second part that it has elected not to develop the Property pursuant to the Plan;

(2) Written notice from Naylor's or its successor to Baltimore County that the special exception has been abandoned and the Plan withdrawn, with a copy of said notice being forwarded to the parties of the second part; and

(3) Delivery of written certification to the Escrow Agent under penalty of perjury that Naylor's has complied with conditions 1 and 2, whereupon the Escrow Agent shall be authorized to record the Release.

This Agreement contains the entire understanding of the parties and each of the parties hereto except as otherwise specifically provided herein and the covenants provided herein may be terminated or amended only with the written consent of a majority of the parties of the second part, except that any change in paragraph I, 7 must be agreed to by the Church. Any of the parties of the second part who cease to be residents of or conduct business in Baltimore County shall be declared to have automatically assigned all rights under this agreement to the remaining parties of the second part.

WITNESS THE HANDS AND SEALS of the parties hereto on the day and year first above written.

WITNESS/ATTEST:

Linda Blinn

Len B. Deane

Kathleen McLaughlin

Loretta H. Krueger

Leticia A. Stoffel

Leticia A. Stoffel

Loretta H. Krueger

SUNRISE DEVELOPMENT, INC.

By: [Signature] (SEAL)

NAYLORS OFFICE PARK LIMITED
PARTNERSHIP

By: [Signature] (SEAL)

HOWARD SAPERSTEIN
General Partner

THE PINE RIDGE ASSOCIATION, INC.

By: [Signature] (SEAL)

NANCY ROSENBERG, President

[Signature] (SEAL)

GORDON E. SUGAR

[Signature] (SEAL)

NANCY E. PAIGE

[Signature] (SEAL)

DAVID M. PAIGE

ST. MARKS EPISCOPAL CHURCH

By: [Signature] (SEAL)

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY, that on this 5th day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared Robert Mackus, who acknowledged himself/herself to be the _____ of Sunrise Development, Inc., a Virginia corporation, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that, being authorized so to do, he/she executed the same for the purposes contained herein as the duly authorized _____ of said corporation.

Sworn to before me this ____ day of _____, 1994.

Notary Public

My Commission Expires: _____

(SEAL)

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY, that on this 5th day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared Howard Saperstein, as the general partner of Naylor's Lane Limited Partnership, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that being authorized so to do, he executed the same on behalf of the partnership for the purposes contained herein.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

(SEAL)

My Commission Expires: 11/1/98

STATE OF MARYLAND
CITY/COUNTY OF HQ JAGD

I HEREBY CERTIFY, that on this 6 day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared **Nancy Rosenberg** who acknowledged herself to be the **President of The Pine Ridge Association, Inc.**, a Maryland corporation, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that she executed the same for the purposes contained herein as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

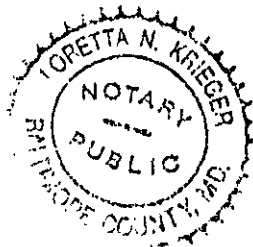
Kathleen McLaughlin
~~Kathleen McLaughlin~~ (SEAL)
Notary Public

My Commission Expires: 12/1/96

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY, that on this 5th day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared **Gordon E. Sugar**, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that he executed the same for the purposes contained herein.

AS WITNESS my hand and Notarial Seal.



Loreta N. Krieger (SEAL)
Notary Public

My Commission Expires: 7/1/97

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY, that on this 5th day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared **Nancy E. Paige and David M. Paige**, known to me, or satisfactorily proven to be the persons whose names are subscribed to this Agreement, and who acknowledged that they executed the same for the purposes contained herein.

AS WITNESS my hand and Notarial Seal.

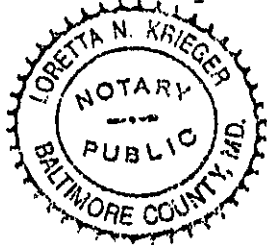
Stacia A. Stoffel (SEAL)
Notary Public

My Commission Expires: 11/1/95

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY, that on this 5th day of October, 1994, before me, the subscriber, a Notary Public of the State of Maryland aforesaid, personally appeared Robert Shockey, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that he executed the same for the purposes contained herein as the duly authorized agent of **ST. MARKS-ON-THE-HILL EPISCOPAL CHURCH.**

AS WITNESS my hand and Notarial Seal.



Loretta N. Krieger (SEAL)
Notary Public

My Commission Expires: 7/1/97

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF FAIRFAX

I HEARBY CERTIFY, that on this 5th day of OCTOBER, 1994, before me, the subscriber, a Notary Public of the Commonwealth of Virginia aforesaid, personally appeared DAVID FAEDER, known to me, or satisfactorily proven to be the person whose name is subscribed to this Agreement, and who acknowledged that he executed the same for the purposes contained herein.

AS WITNESS my hand and Notarial Seal.

Linda Balcer (SEAL)
Notary Public

My Commission Expires 12/31/96

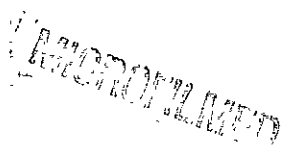
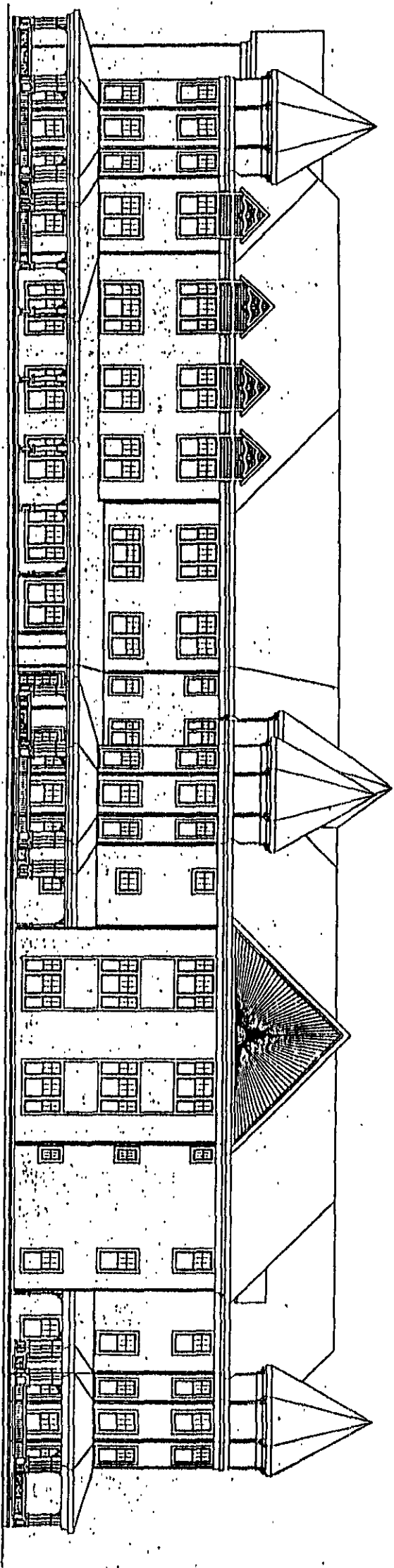


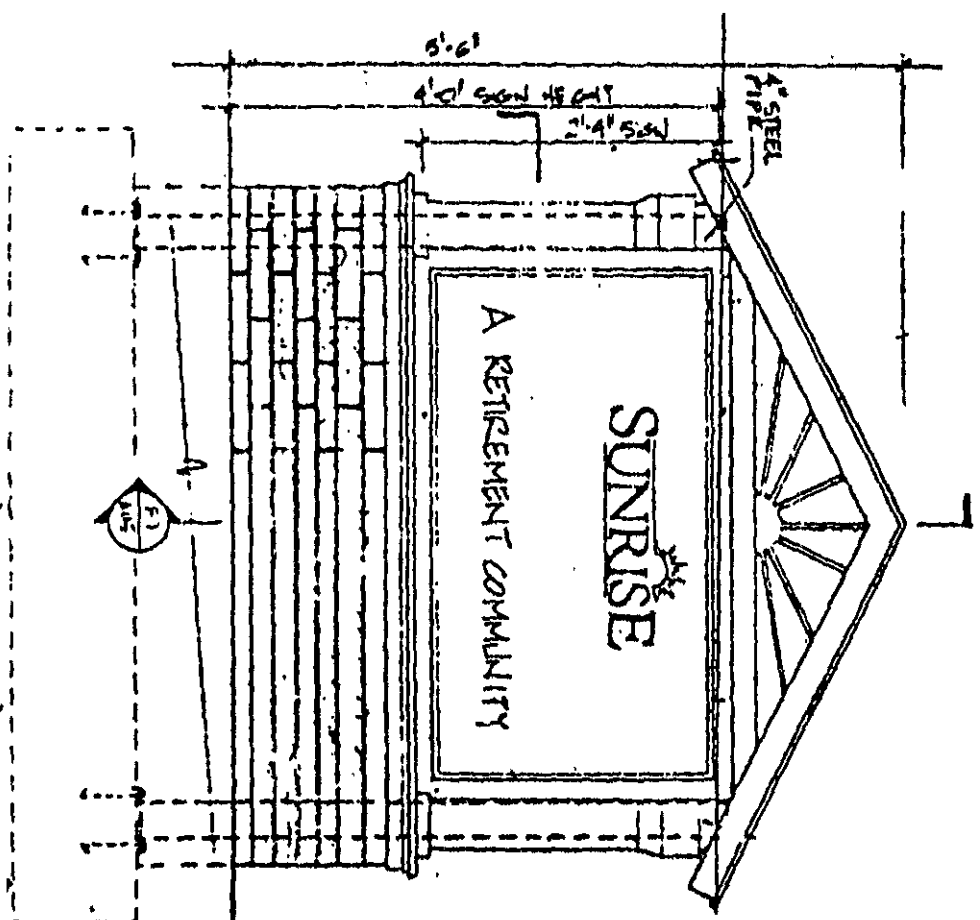
Exhibit A



FRONT ELEVATION (PORT COCHERE REMOVED FOR CLARITY)
NOT TO SCALE

Exhibit B
SUNRISE OF PIKESVILLE

REPRODUCED



SIGN ELEVATION

NOT TO SCALE

RECEIVED

Exhibit C
SUNRISE OF PIKESVILLE

Exhibit D

RELEASE OF AGREEMENT

THIS RELEASE OF AGREEMENT (this "Release") is made this ____ day of _____, 1994, but effective as of _____ (the "Effective Date") by and between SUNRISE DEVELOPMENT, INC. and NAYLORS OFFICE PARK LIMITED PARTNERSHIP, parties of the first part, and THE PINE RIDGE ASSOCIATION, INC., GORDON E. SUGAR, NANCY E. PAIGE and DAVID M. PAIGE and ST. MARKS ON-THE-HILL EPISCOPAL CHURCH, parties of the second part.

WHEREAS, by Agreement dated _____, 1994 and recorded among the Land Records of Baltimore County, Maryland in Liber _____, Folio _____, between the parties of the first part and the parties of the second part, the parties hereto established certain covenants, restrictions and conditions running with the land and imposed upon the property therein described (the "Property"); and

WHEREAS, the parties hereto desire by this Release to confirm the termination of the Agreement and release the Property therefrom, all as of the effective date.

NOW THEREFORE IN CONSIDERATION of the entry into this Release by each party hereto and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by each party hereto, the parties hereto hereby (1) cancel and terminate the Agreement to the end that it shall be of no further force or effect, (2) release the Property from the operation and effect of the Agreement, and (3) agree to give such further assurances of the foregoing as may be requisite, all of which actions are effective from and after but not before the Effective Date.

IN WITNESS WHEREOF, each party hereto has executed and ensealed this Release or caused it to be executed and ensealed on its behalf by its duly authorized representatives the day and year first above written.

WITNESS/ATTEST:

Linda B. [Signature]

SUNRISE DEVELOPMENT, INC.

By *[Signature]* (SEAL)

NAYLORS OFFICE PARK LIMITED
PARTNERSHIP

Ken B. [Signature]

By *[Signature]* (SEAL)

Howard Saperstein
General Partner

[SIGNATURES CONTINUED ON NEXT PAGE]

WITNESS/ATTEST:

THE PINE RIDGE ASSOCIATION, INC.

Kathleen McLaughlin BY Nancy E. Paige (SEAL)
Louella H. Kueger Gordon E. Sugar (SEAL)
Leticia A. Stoffel Nancy E. Paige (SEAL)
Leticia A. Stoffel David M. Paige (SEAL)

ST. MARKS ON THE HILL EPISCOPAL
CHURCH

Louella H. Kueger BY Nancy E. Paige (SEAL)

STATE OF Maryland: City OF Baltimore: TO WIT:

I HEREBY CERTIFY that on this 5th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared Nancy E. Paige, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Leticia A. Stoffel
Notary Public

My Commission Expires: 11/1/95

STATE OF Maryland : ^{Ch}COUNTY OF Baltimore : TO WIT:

I HEREBY CERTIFY that on this 5th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared Davia M. Paige, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Leticia A. Stoffel
Notary Public

My Commission Expires: 11/1/95

STATE OF VA : COUNTY OF FAIRFAX : TO WIT:

I HEREBY CERTIFY that on this 5th day of OCTOBER, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared DAVID FIEDER, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Linda Bolino
Notary Public

My Commission Expires: 12/31/96

STATE OF Maryland: COUNTY OF Baltimore: TO WIT:

I HEREBY CERTIFY that on this 5th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared Robert Muckey, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Bretta H. Krueger
Notary Public

My Commission Expires: 7/1/97

STATE OF Maryland: COUNTY OF Baltimore: TO WIT:

I HEREBY CERTIFY that on this 5th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared Dorion C. Sugar, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Bretta H. Krueger
Notary Public

My Commission Expires: 7/1/97

STATE OF Maryland: COUNTY OF Howard: TO WIT:

I HEREBY CERTIFY that on this 6th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared Nancy Rosenberg, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

Kathleen McLaughlin
Notary Public

My Commission Expires: 12/1/96

STATE OF MARYLAND: COUNTY OF Baltimore: TO WIT:

I HEREBY CERTIFY that on this 5th day of October, 1994, before me, a Notary Public for the state and county aforesaid, personally appeared HOWARD SARGENTIN, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.

[Signature]
Notary Public

My Commission Expires: 1/1/98

THIS IS TO CERTIFY that this instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Ronald P. Fish

MR. CLERK: On its recordation, please return this instrument to Ronald P. Fish, Esquire, at Ballard Spahr Andrews & Ingersoll, Suite 1900, 300 East Lombard Street, Baltimore, Maryland 21202.

TO: // DES
// SCD
// DEPRM
// ZONING
// ZADM
// OTHER

JUL

Re: Project Name Sumner - Fikesville // Project Not Managed
Project Manager Maranto ZADM No. 24292
Type of Plan FDP // Preliminary // Final // Signature
Team Leader Lewis
Engineer PMW Tele # 296-3333

Phase II Routing Slip

Scheduled submission date: (see Project Chart) _____

Scheduled completion date: (see Project Chart) _____
or
(2 wks from submission)

// Approved

☒ Approved with comments

// Returned for revision

// Disapproved

ACTION TAKEN

BY REVIEWER:

REMOVE THE SIGN DETAIL FROM THIS ZONING FINAL DEV. PLAN AND
BE AWARE THAT THE PROPOSED SIGNS DO NOT OBVIOUSLY COMPLY
WITH SECT 413 BCZR. PROVIDE 10 REVISED PLAN COPIES FOR SIGNATURE.
(PLAN DEPRM. 11/16/94)

ZADM DEV CONTROL
Agency

J. Lewis
Reviewer's Name

11/16/94
Date

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____

name

PHOTOFILMED

[Faint, illegible stamp]

*Mike Parole
FAX
602-0727
ASAP*

[Faint, illegible text]

[Faint, illegible text]

[Faint, illegible text]

[Faint, illegible text]

[Faint, illegible text]

Sincerely,
Michael Parole
Michael Parole
Development Officer

Attachments: Special Exception Approval Letter
Special Exception Site Plan

703-909-1322

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Howard Ardenman Esq

Jan Tansay

WHITNEY WARNER

WILLIAM SHIELDS

ADDRESS

305 W Chesapeake Ave #113
Frisco MD 21204

DMW Inc., 200 E. PA. AV., TOWSON

4215 EVERGREEN LANE
ANNANDALE VA. 22003

9401 LEE HIGHWAY, SUITE 300
FAIRFAX VA 22031





7-10-68

ADDRESS

1620 Reinstetten Rd. 21208

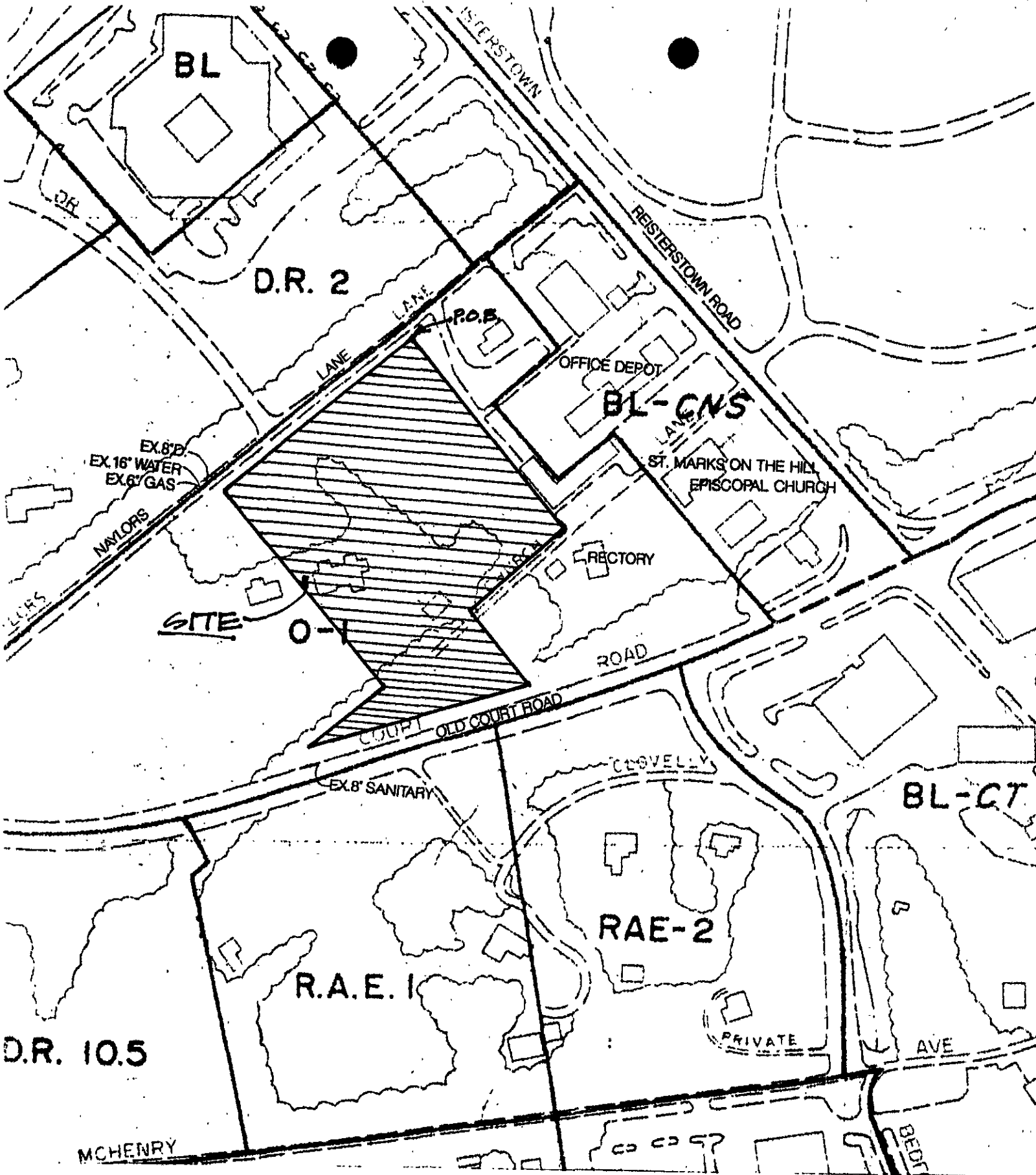
1700 Reinstetten Rd

21208

Vivian Road, Easton, MD 21601
1201 Conn. Ave. N.W.
Washington DC 20036

1 Pomona N. Pliesville 11/22/28

Geetha R. SUGATE



SUNRISE OF PIKESVILLE

BALTIMORE COUNTY ZONING MAP

SHEET N.W. 8-F

#52

AUGUST 8, 1994

SCALE: 1"=200'

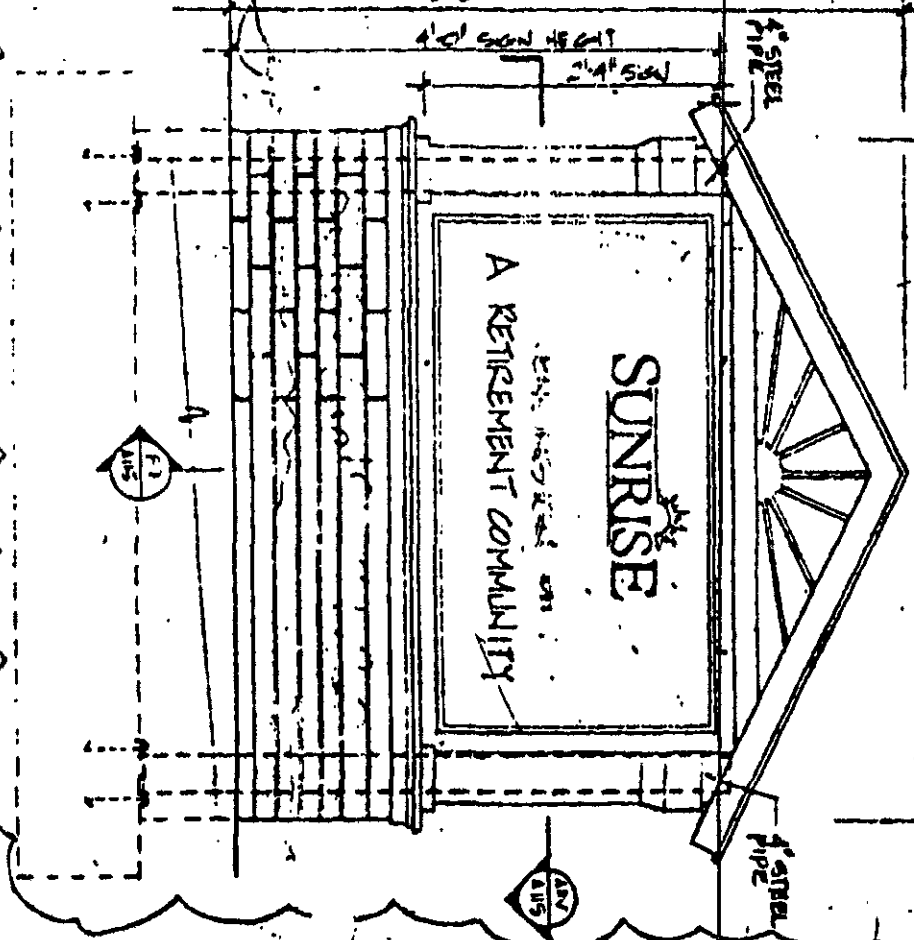
DMW

Daft McCune Walker, Inc.
200 E. Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705



95-51-X

RECEIVED



4-8' con
5-8' back pass

SUNRISE

SIGN ELEVATION & PLAN

NOTE: SEE SITE PLAN FOR LOCATION

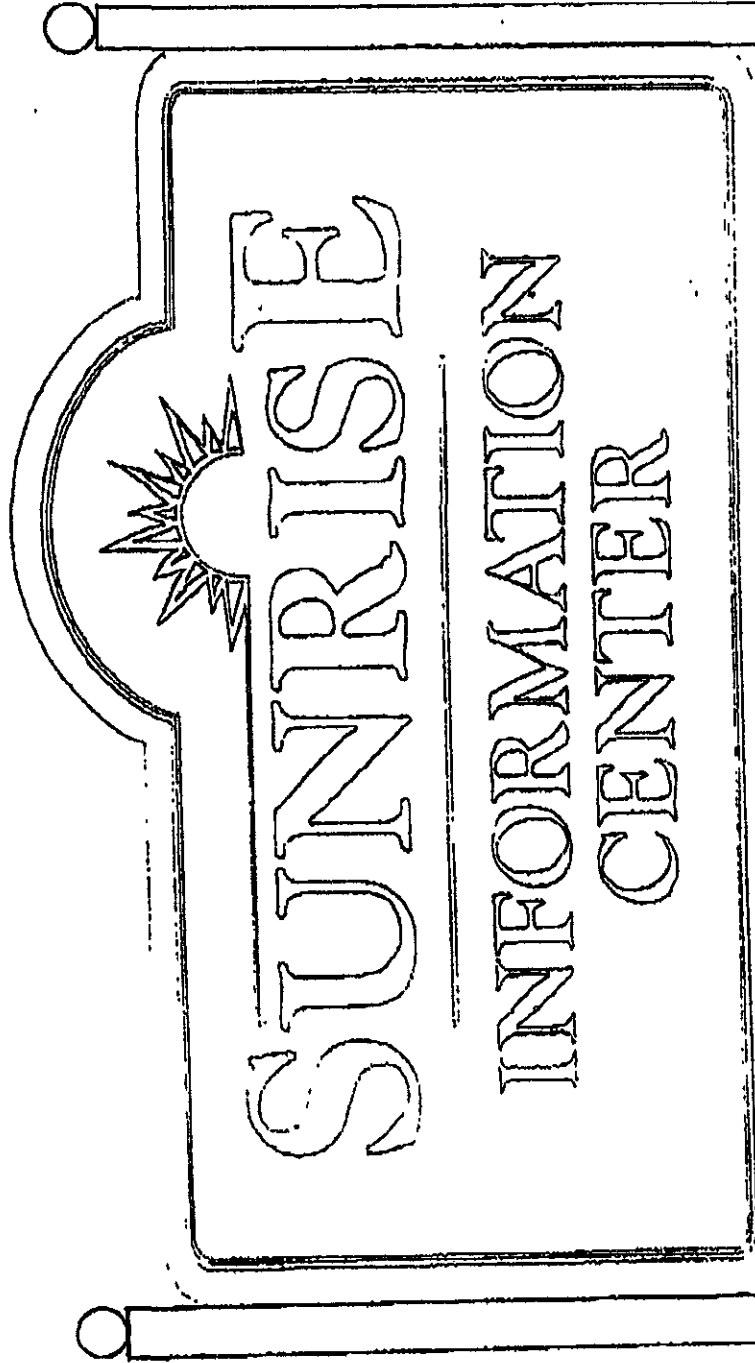
OPTION #1
REV: 1/94

Falls
Church

3x5

6-12" off ground

6-12



SIGNSATIONS

5' MAX

7033780146

P.02

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

95-51 X
9/20

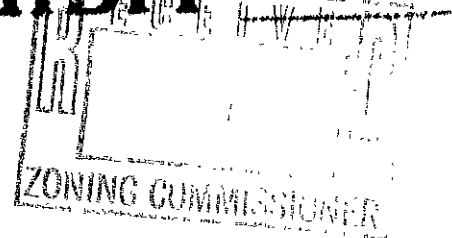
TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 3901 Naylor's Lane

**PETITIONER'S
EXHIBIT** 1A



INFORMATION:

Item Number: 52

Petitioner: Pomona Corporate Centre Ltd. Partnership

Property Size: _____

Zoning: O-1

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The proposed assisted living facility and day care center is located in the Pikesville Revitalization Plan area. The Pikesville Revitalization Plan (adopted by the County Council in 1991) suggests that there is a need for specialized senior housing. The proposed assisted living facility will complement Pikesville's diverse housing stock. The proposed assisted living facility and accessory day care will also yield fewer vehicle trips from the site than the previously approved 90,000 sq. ft. office building.

Given the negligible impact of the proposed uses on the surrounding community, the Office of Planning and Zoning supports the applicant's request for the proposed assisted living facility and accessory day care with the following recommendations.

- In an effort to ensure the privacy of the existing rectory, the petitioner should minimize disturbance of existing vegetation along the southeast border and install mature evergreen compact screening and a privacy fence along the southeast border.
- The Old Court Road Corridor Study (a document adopted by the Planning Board in 1984) recommends streetscaping sites developed along Old Court Road.

MICROFILMED

- In the previously approved plan for Naylors Office Park, a mini-park was proposed on the southern portion of the property bordered by St. Marks Church Lane and Old Court Road. The Office of Planning and Zoning recommends that the previously approved mini-park be retained or a similar mini-park with street trees and a meandering wood chip path be installed.

The plat accompanying this request should be in conformance with the approved plan refinement.

Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Gary L. Kerns

PK/JL:lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

PETITIONER'S
EXHIBIT 1B

DATE: September 20, 1994

SUBJECT: 3901 Naylors Lane (SUNRISE OF PIKESVILLE)

INFORMATION:

Item Number: 52

Petitioner: Pomona Corporate Centre Ltd. Partnership

Property Size: _____

Zoning: O-1

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

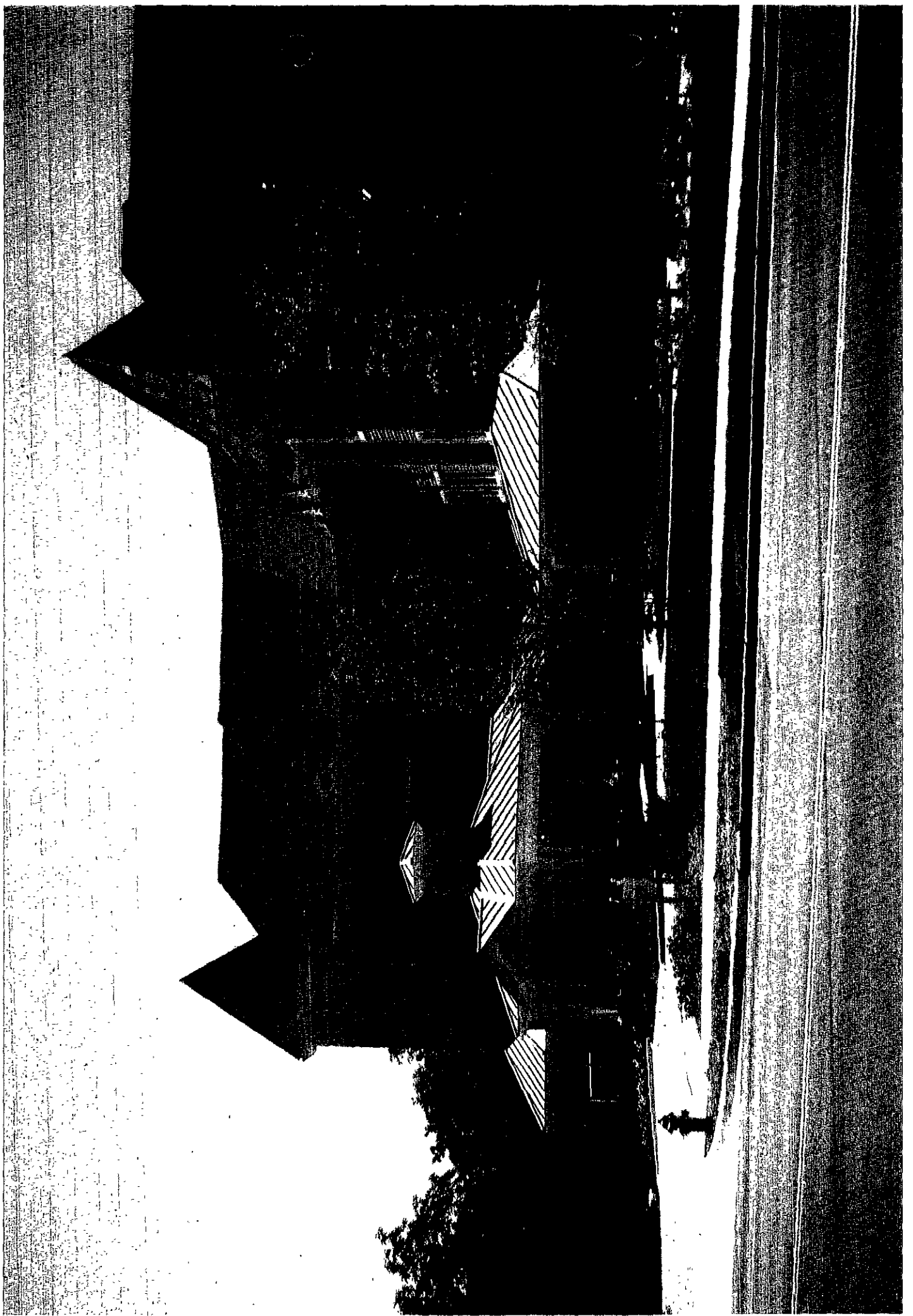
The Office of Planning and Zoning has reviewed the proposed Plan for Sunrise of Pikesville Class B assisted living facility and finds the Plan to be compatible with the adjacent uses. This Office also recommends approval for the Modification of Standards to exceed the building length of 240 feet for a multi-family building.

Staff recommends the Zoning Commissioner to review the covenants for this project and apply any condition to his order if appropriate.

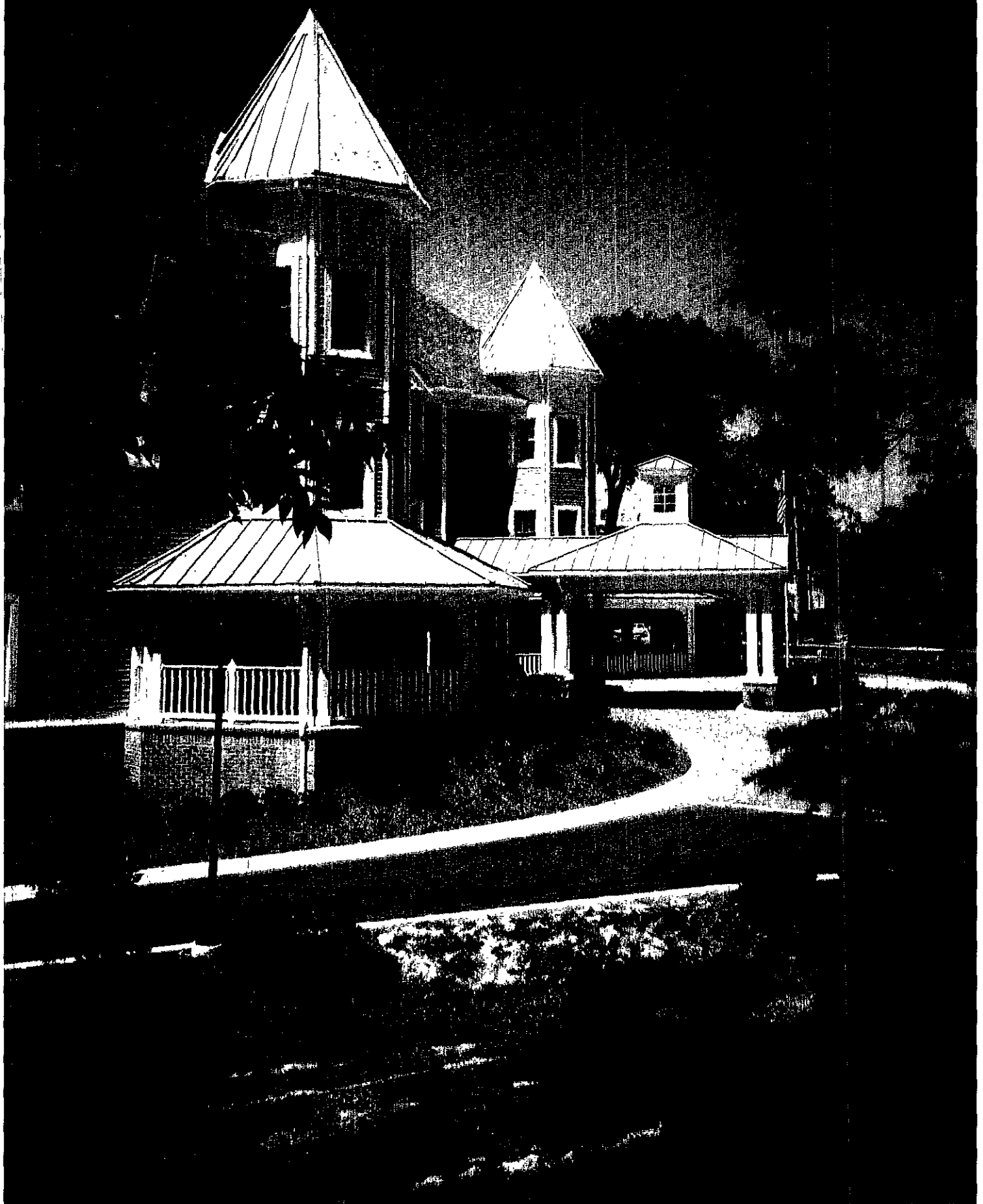
Ervin McDaniel
Ervin McDaniel

PK:EmcD:bjs

MICROFILMED



Pld 3A RECEIVED 1



Rest 3B



Box 3c INCORPORATED



Det 3D MICROFILMED 4

Box 3 E
MORRIS





Rest 3F



Rd 36

1000

Box 3 H





Recognitions and Awards

- Included on the Inc. Magazine list of the 500 fastest-growing private companies in America. Only one percent of the Inc. 500 companies have been included on the list three times.
 - ranked 385 in 1990
 - ranked 441 in 1992
 - ranked 412 in 1993
- Second-highest-ranking private company for job creation during 1988-1992, according to Inc. Magazine
- Sunrise Founder Teresa Klaassen named 1993 Greater Washington, DC, Entrepreneur of the Year
- Selected by various governmental organizations as manager for several municipal retirement communities
- Featured in the *New York Times*, *Washington Post*, *Washington Business Journal*, industry publications and senior advocacy journals (such as the *AARP Bulletin*)
- Covered by national cable and broadcast television networks as well as local television stations
- 1994 FastTrack Award winner for fastest-growing healthcare business in the Greater Washington, DC, area (award sponsored by the *Washington Business Journal* and Arthur Andersen)
- 1994 National Association of Home Builders Award for Outstanding Assisted Living Architectural Design for Sunrise of Falls Church (Falls Church, VA)
- 1994 National Association of Home Builders Award for Outstanding Affordable Senior Housing Architectural Design for Sunrise at Kensington Park (Kensington, MD)
- 1993 National Association of Home Builders Award for Outstanding Assisted Living Architectural Design for Sunrise at Mercer Island (Washington state)
- 1991 *Contemporary Long Term Care Magazine*—Architectural Design Competition Winner
- 1991 *Contemporary Long Term Care Magazine*—Interior Design Competition Winner
- 1991 National Association of Counties "National Excellence Award" for management services at The Lincolnian Senior Residences (Alexandria, VA)
- 1991 Master Builder's Association "Marketing & Merchandising Excellence Award"
- 1990 Cornerstone Awards: "Best Mixed-Use Project," Sunrise at Bluemont Park (Arlington, VA)

pet - 31

MICROFILMED



Vicinity Map Scale 1" = 1000'

Gross = 4.73 Acres \pm (includes 30' of Naylor's Lane and 30' of Old County Road.)

20 Lf. Cl. A. Scr. © 1/15 = 18 P.U.

- Signs will comply with Section 413 of the BCZR.

PLANNING NO. III - 296



(Formerly Naylors Office Park)

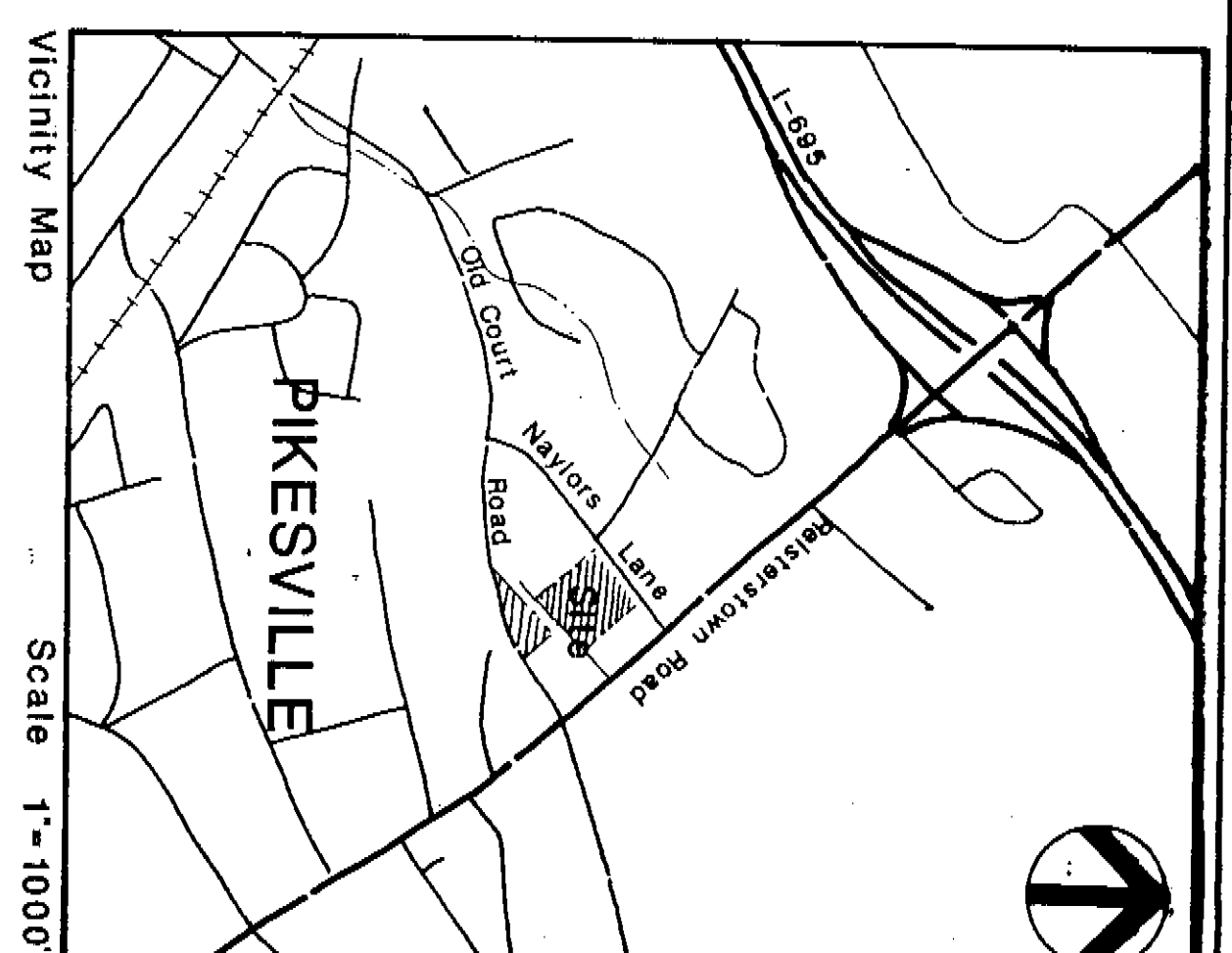
[illegible]

PRINTED
AUG 10 1994

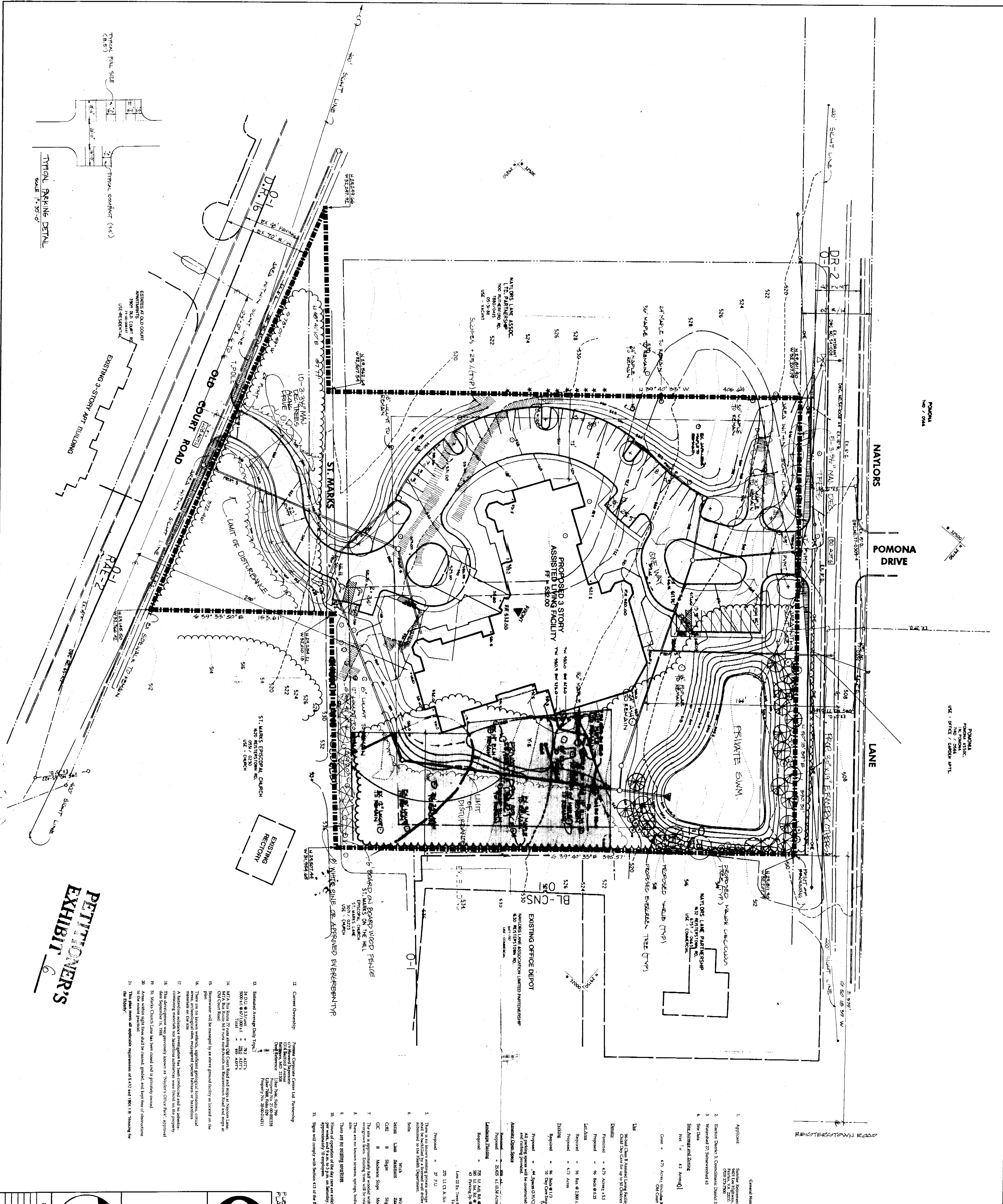
3



SCALE 1" = 30'-0"



Vicinity Map
Scale 1" = 1000'



PETITIONER'S
EXHIBIT 6

DATE

REVISIONS

SHEET 1 OF 1

7

REVISIONS

SHEET 1 OF 1

DATE

REVISIONS

SHEET 1 OF 1

7

REVISIONS

SHEET 1 OF 1

DATE

REVISIONS

SHEET 1 OF 1

7

REVISIONS

SHEET 1 OF 1

DATE

REVISIONS

SHEET 1 OF 1

7

REVISIONS

SHEET 1 OF 1

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)

DAFT MCCUNE WALKER INC.

200 E. 10th St., Suite 200
Pikeville, KY 40360
Tel: 606/781-1111

TYPICAL PARKING DETAIL
SCALE 1" = 30'0"

TYPICAL PUL SIZE
(8.5)

TYPICAL CONCRETE (14)

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

EXISTING 2-STORY ART BUILDING

IN THE MATTER OF * BEFORE THE
THE APPLICATION OF * COUNTY BOARD OF APPEALS
POMONA CORP. CENTRE -LEGAL
OWNER, SUNRISE DEVELOPMENT *
CONTRACT PURCHASER/PETITIONERS* OF
FOR A SPECIAL EXCEPTION ON * BALTIMORE COUNTY
PROPERTY LOCATED ON THE SOUTH *
SIDE NAYLORS LANE, 379' W OF * CASE NO. 95-51-X
THE CENTERLINE REISTERSTOWN *
ROAD (3901 NAYLORS LANE) *
3RD ELECTION DISTRICT *
2ND COUNCILMANIC DISTRICT *
* * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated October 24, 1994 in which the Petition for Special Exception was granted with restrictions.

WHEREAS, the Board is in receipt of an Order of Dismissal filed by Newton A. Williams and NOLAN, PLUMHOFF & WILLIAMS, CHTD, Attorneys for Naylors Lane Associates Limited Partnership, Appellant, dated April 18, 1995 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal filed in this matter be dismissed "With Prejudice" as of April 18, 1995;

IT IS HEREBY ORDERED this 22nd day of April, 1995 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED with prejudice.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Michael B. Sauer

Harry E. Buchheister, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 27, 1995

Newton A. Williams, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204-5340

RE: Case No. 95-51-X
Pomona Corp. Centre
/Sunrise Development, Inc.

Dear Mr. Williams:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al
Howard L. Alderman, Jr., Esquire
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc.
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner
Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
Melvin Berger
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Printed with Soy-based ink
on Recycled Paper

IN RE: PETITION FOR * BEFORE THE
SPECIAL EXCEPTION * COUNTY BOARD OF APPEALS
S/S Naylors Lane, 379 W of C/L *
Reisterstown Road * FOR
3901 Naylors Lane * BALTIMORE COUNTY
3rd Election District *
2nd Councilmanic District *
Legal Owner: Pomona Corp. *
Centre *
Contract Purchaser: Sunrise *
Development, Inc., Petitioners *

ORDER OF DISMISSAL

Mr. Chairman:

On behalf of Naylors Lane Associates Limited Partnership (NLALP), the sole remaining protestant, (NLALP and Sunrise Development, Inc., Constellation/Sunrise Pikesville Limited Partnership, as Contract Purchasers and Naylors Lane Associates Limited Partnership, Legal Owner, successor to Pomona Corp. Centre, having entered into a Settlement Agreement and Deed of Easement, covering NLALP's appellate concerns, the said Agreement and Deed of Easement to be recorded among the Land Records of Baltimore County), NLALP does hereby dismiss its appeal of November 14, 1994, herein, "With Prejudice."

Newton A. Williams

NOLAN, PLUMHOFF & WILLIAMS, CHTD
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204
410-823-7800

Attorneys for Naylors Lane
Associates Limited Partnership

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of March, 1995, a copy of the foregoing Order of Dismissal was mailed, postage prepaid, to:

Thomas B. Newell, Esquire
General Counsel for Naylors Lane Associates, Limited Partnership

Howard B. Alderman, Esquire
Levin and Gann
Zoning Counsel for the Petitioners
305 W. Chesapeake Avenue
Towson, Maryland 21204

Peter Max Zimmerman, Esquire
People's Counsel's Office
Court House
Towson, Maryland 21204

Nancy Paige, Esquire
Former Protestant
Garrett Building
233 E. Redwood Street
Baltimore, Maryland 21203

Father H. Stucky
St. Marks on the Hill Episcopal Church
Former Protestant
1620 Reisterstown Road
Pikesville, Maryland 21208

Newton A. Williams

8054C(87-88)

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

-2-

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
S/S Naylors Lane, 379 ft. W of * ZONING COMMISSIONER
C/L Reisterstown Road *
3901 Naylors Lane * OF BALTIMORE COUNTY
3rd Election District *
2nd Councilmanic District * Case No. 95-51-X
Legal Owner: Pomona Corp. Centre *
Contract Purchaser: Sunrise *
Development, Inc., Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 3901 Naylors Lane in Pikesville. Relief is requested under the provisions of Section 502.1 of the Baltimore County Zoning Regulations (BCZR), to approve a Class B Assisted Living Facility on the subject site pursuant to Section 432.1.A.3 and an accessory group child care center as permitted by right by Section 424.5.B. The Petition is filed by the Pomona Corporate Centre Limited Partnership, property owner, and Sunrise Development, Inc., (hereinafter "Sunrise"), Contract Purchaser.

Appearing at the public hearing held for this case was William Shields, the Director of Engineering for Sunrise. Also appearing and testifying on behalf of the Petitioner was Whitney Wagner, an architect who prepared the site plan, and Jean Tansey, a landscape architect with Daft, McCune, Walker. The Petitioner was represented by Thomas B. Newell, General Counsel, and Howard Alderman, Esquire. Ervin McDaniel, from the Office of Planning and Zoning, also appeared in support of the Petition.

Several individuals appeared as interested persons and/or Protestants. They included Nancy Paige, Esquire who appeared individually as a property owner and representing the Pine Ridge Association. She also represented the concerns of Father Robert H. Stucky, the pastor of the adjacent St. Mark's On The Hill Episcopal Church and Gordon Sugar, a nearby property

owner. Also appearing was Sidney M. Friedman on behalf of the Pikesville Chamber of Commerce and Melvin Berger, Protestant.

William Shields, the Director of Engineering for Sunrise, testified and described the site. The property is approximately 4.2 acres in area and is zoned O-1. It is located in Pikesville not far from Reisterstown Road (Md. Route 140). Vehicular access to the site is by way of Naylors Lane to the north and Old Court Road to the south. The property's location, in Mr. Shields' opinion, makes same easily accessible and development of the site as proposed should not result in any traffic or parking congestion.

Mr. Shields also testified that his company operates approximately 35 retirement communities nationwide. Six of these communities are in the Baltimore-Washington area including one in Towson. He comprehensively described the proposed use of the site. Specifically, the property will be developed as an Assisted Living Facility for the Elderly. As shown on the site plan, the proposed facility will be three stories in height. Additionally, a child care center will also be operated as an accessory use.

Also testifying was Whitney Wagner, an architect, engaged by Sunrise. Mr. Wagner fully explained the proposed plan and presented a series of photographs and schematic drawings depicting the proposed improvements. These exhibits show that Sunrise has built attractive retirement community centers elsewhere and the company intends on developing this site in a conscientious and thoughtful manner. The subject site, as is the case with other Sunrise Retirement Communities will not be institutional in appearance. Rather, the property will be architecturally modeled to present a residential image. Mr. Wagner indicated that the project would designed so as to be compatible with the surrounding locale and adjacent uses.

- 2 -

Mr. Wagner also that 72 units would be provided within the assisted living facility. These 72 units could house 96 elderly residents. The assisted living center will be 56,000 sq. ft. in area, significantly larger than the 4,000 sq. ft. devoted to the day care facility.

Also testifying in support of the Petition was Ervin McDaniel from the Office of Planning and Zoning. He noted that CRG approval was originally granted for the development of the property with a 90,000 sq. ft. office building. That CRG approval remains valid and has not lapsed. Recently, the Developer appeared before the Development Review Committee with the subject plans and requested that the CRG approval be extended to these plans as a refinement. Due to the fact that the proposed development is smaller than the 90,000 ft. office complex and will generate less traffic, the CRG approval was extended to this project.

Also testifying was Jean Tansey, a Landscape Architect from Daft, McCune, Walker. She corroborated Mr. McDaniel's testimony as it related to the CRG approval and process. She further addressed the requirements in Section 502.1 of the BCZR and opined that each would be satisfied by the development of the property in the manner proposed. In summary, she opined that the proposed uses would not be detrimental to the health, safety or general welfare of the locale and that the proposed development was compatible with the adjacent area and surrounding community. She also noted that the 44 parking spaces provided would be more than sufficient for the traffic which is contemplated.

Nancy Paige, Esquire, both on her own behalf and in a representative capacity, voiced tentative support for the project. In fact, subsequent to the hearing, an agreement was received and made part of the record by and between the Developer and surrounding neighbors including the Pine Ridge Association, Gordon E. Sugar, Nancy E. and David Paige and the St. Mark's

- 3 -

on the Hill Episcopal Church. This agreement evidences support for the project by these neighbors in the event certain landscaping and assurances are given by the property owners and contract purchasers. As requested, I shall incorporate that agreement within my Order as a condition precedent to the approval of the special exception. The agreement is dated October 12, 1994 and has been recorded in the Land Records of Baltimore County at Liber 10788, folio 676.

Lastly, testimony was also received from Melvin Berger, who identified himself as a nearby property owner. The property owned by Mr. Berger was not specifically identified and the basis of his standing to contest development on this site was not altogether clear. However, he expressed certain concerns over traffic congestion. It should be noted, however, that planned vehicular access to the property appears entirely proper. As noted above, access can be obtained from both Old Court Road and Naylors Lane. Moreover, the traffic generated by the proposed use is significantly less than what could be expected if a 90,000 sq. ft. office complex were constructed.

A special exception is a use which has been predetermined by the Baltimore County Council to be conditionally compatible with the uses permitted as of right in a particular zone. See Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970). The Zoning Commissioner, in evaluating a special exception, must decide under the specific standards set forth in Section 502 of the BCZR whether the presumptive compatibility of the proposed special exception exists. Section 502 of the BCZR provides certain guidelines to be applied to certain issues such as traffic, impact on public improvements and utilities, pollution, etc.

- 4 -

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP 07 1994

Thomas S. Small, Esq.
7929 Westpark Drive, Suite 400
Baltimore, Virginia 22101

RE: Item No. 52, Case No. 95-51-4
Petitioner: Pomona Corporate Centre/Planners Development

Dear Mr. Small:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed amendments that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 10, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby assessed zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture of the filing fee.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:pps



Printed with Soy-based Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: August 29, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 28, 1994
Item No. 52

The Developers Engineering Section has reviewed the subject zoning item. See our previous Development Plan comments for this site.

RWB:aw



Maryland Department of Transportation
State Highway Administration

O. James Lightwiler
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 95-51 (MJK)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Owen Stephens, ZADM

DATE: August 26, 1994

FROM: Jeffrey Long
Office of Planning & Zoning

SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following Petitions:

ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61.

Please contact me if you have any questions or require additional information.

JL:bjs

RECEIVED
AUG 29 1994

ZADM

STEPHENS, JL/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 3901 Naylors Lane

INFORMATION:

Item Number: 52

Petitioner: Pomona Corporate Centre Ltd. Partnership

Property Size: _____

Zoning: O-1

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The proposed assisted living facility and day care center is located in the Pikesville Revitalization Plan area. The Pikesville Revitalization Plan (adopted by the County Council in 1991) suggests that there is a need for specialized senior housing. The proposed assisted living facility will complement Pikesville's diverse housing stock. The proposed assisted living facility and accessory day care will also yield fewer vehicle trips from the site than the previously approved 90,000 sq. ft. office building.

Given the negligible impact of the proposed uses on the surrounding community, the Office of Planning and Zoning supports the applicant's request for the proposed assisted living facility and accessory day care with the following recommendations.

- In an effort to ensure the privacy of the existing rectory, the petitioner should minimize disturbance of existing vegetation along the southeast border and install mature evergreen compact screening and a privacy fence along the southeast border.

- The Old Court Road Corridor Study (a document adopted by the Planning Board in 1984) recommends streetscaping sites developed along Old Court Road.

- In the previously approved plan for Naylors Office Park, a mini-park was proposed on the southern portion of the property bordered by St. Marks Church Lane and Old Court Road. The Office of Planning and Zoning recommends that the previously approved mini-park be retained or a similar mini-park with street trees and a meandering wood chip path be installed.

The plat accompanying this request should be in conformance with the approved plan refinement.

Prepared by: *Jeffrey Long*

Division Chief: *Gary L. Kenna*

PK/JL:lw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

August 24, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #52 - Sunrise of Pikesville
3901 Naylors Lane
Zoning Advisory Committee Meeting of August 22, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with Regulations for Forest Conservation.

Ground Water Management

The existing well must be abandoned by a licensed well driller. A well abandonment report must be submitted to this office prior to approval of development.

JLP:VK:TE:sp

SUNRISE/DEPRM/TXTSBB

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/19/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: POMONA CORPORATE CENTRE LTD. PARTNERSHIP

LOCATION: 3901 NAYLORS LANE, 3901 N. OF CENTERLINE REISTERSTOWN RD.
(3901 NAYLORS LG.)

Item No.: 52 Zoning Agenda: SPECIAL EXCEPTION

Settlement:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
AUG 19 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper



111 West Chesapeake Avenue
Towson, MD 21204

September 9, 1994

(410) 887-3353

Thomas B. Newell, Esq.
7929 Westpark Drive, Suite 400
McLean, Virginia 22101

RE: Case No. 95-51-X, Item No. 52
Petitioner: Pomona Corporate Centre/Sunrise Development

Dear Mr. Newell:

Enclosed are copies of comments received from Office of Planning
and Zoning on September 8, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Joyce Watson

Enclosure



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 21, 1994

Howard Alderman, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Petition for Special Exception
S/S Naylors Lane, 379' W of c/l
of Reisterstown Road
3901 Naylors Lane
3rd Election District
2nd Councilmanic District
Legal Owner: Pomona Corp. Centre
Contract Purchaser: Sunrise
Development, Inc.-PETITIONERS
Case No. 95-51-X

Dear Mr. Alderman:

Please be advised that an appeal of the above-referenced case was
filed in this office on November 14, 1994 by Newton A. Williams. All
materials relative to the case have been forwarded to the Board of
Appeals.

If you have any questions concerning this matter, please do not
hesitate to contact Eileen O. Hennegan at 887-3353.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Director

AJ:ech

c: Jean Tansey, Daft, McCune and Walker, 200 E. Pennsylvania Ave, 21204
Mr. Whitney Wagner, 4215 Evergreen Lane, Annandale, VA 22003

Howard Alderman, Esquire
Page Two
November 21, 1994

Mr. William Shields, 9401 Lee Highway, Suite 300, Fairfax, VA 22031
Thomas B. Newell, Esquire, 7929 Westpark Drive, Suite 400, McLean,
VA 22101
Nancy Paige, Esquire, Garrett Building, 233 E. Redwood St, 21202
Rev. Robert H. Stucky, 1620 Reisterstown Rd., 21208
Mr. Sidney Friedman, Pikesville Chamber of Commerce, 1700
Reisterstown Rd, 21208
Newton A. Williams, Nolan, Plumhoff and Williams, Suite 700, Court
Towers, 210 W. Pennsylvania Avenue, Towson 21204
People's Counsel

APPEAL

Petition for Special Exception
S/S Naylors Lane, 379' W of the c/o Reisterstown Road
3901 Naylors Lane
3rd Election District - 2nd Councilmanic District
Legal Owner: Pomona Corp. Centre
Contract Purchaser: Sunrise Development, Inc.-PETITIONERS
Case No. 95-51-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1A - Inter-office correspondence from Pat
Keller to Arnold Jablon, dated August 29,
1994
1B - Inter-office correspondence from Pat
Keller to Arnold Jablon, dated September
20, 1994

2 - No exhibit marked No. 2
3A-3H-8 Photographs
3I - Sunrise Recognitions and Awards
4 - Plat to accompany Petition for Special
Exception
5 - Revised CNG Plan-Sunrise of Pikesville
6 - Plat and Plan to accompany Petition for
Special Exception

Protestant's Exhibits: 1 - Sign Elevation and Plan

2 - Sketch of Sunrise Sign
Miscellaneous Correspondence - Daft-McCune and Walker-Agreement and
exhibits (A through D)

Zoning Commissioner's Order dated October 24, 1994 (GRANTED)

Notice of Appeal received on November 14, 1994 from Newton A. Williams,
Esquire

c: Howard Alderman, Esquire, 305 Chesapeake Ave, Suite 113, 21204
Ms. Jean Tansey, Daft, McCune & Walker, 200 E. Pennsylvania Ave.
21204
Mr. Whitney Wagner, 4215 Evergreen Lane, Annandale, VA 22003
Thomas B. Newell, Esq., 7929 Westpark Drive, Suite 400, McLean,
VA 22101
Williams Shields, Sunrise Development, Inc., 9401 Lee Highway,
Suite 300, Fairfax, VA 22031
Nancy Paige, Esq., Garrett Bldg., 233 E. Redwood Street 21202
Rev. Robert H. Stucky, 1620 Reisterstown Road, 21208
Mr. Sidney M. Friedman, Pikesville Chamber of Commerce, 1700
Reisterstown Road 21208
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Patrick Keller, Director, Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Supervisor
Docket Clerk
Arnold Jablon, Director of ZADM

1/27/95 -Notice of Assignment for hearing scheduled for Thursday,
March 30, 1995 at 10:00 a.m. sent to the following:

Newton A. Williams, Esquire
Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al
Howard L. Alderman, Jr., Esquire
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc.
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner
Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
Carl Richards /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

1/30/95 -Postponed on record by N. Williams. Order of Dismissal submitted, along
with copy of Settlement Agreement. Postponement requested and granted
for purpose of allowing Mr. Williams to obtain necessary notarization
of settlement agreement, which he will do promptly; will get back to
Board within 4 or 5 days with finalized agreement. Appeal may then be
dismissed per Dismissal being held in file. (H.S.B.)

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340

(410) 823-7800
TELEFAX: (410) 296-2765

November 14, 1994

Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
Old Court House
Towson, Maryland 21204

Re: Appeal on Behalf of Naylors Lane Associates Limited
Partnership ("NLALP") from Findings of Fact and
Conclusions of Law Dated October 24, 1994, involving
Pomona Corporation Center, Legal Owner, and Sunrise
Development, Inc., Contract Purchaser, Special
Exception and Other Relief for Property at 3901
Naylors Lane, Pikesville, Baltimore County, Maryland

Dear Commissioner Schmidt:

On behalf of our clients Naylors Lane Associates Limited
Partnership ("NLALP"), namely Mr. Mark Hellman, Mr. John Doyle,
et al., we respectfully appeal your Findings of Fact and
Conclusions of Law dated October 24, 1994, to the County Board
of Appeals for Baltimore County.

Among the other grounds of this appeal are the following:

1. A failure to recognize and safeguard the right of
NLALP to access Naylors Lane by means of an existing driveway,
which crosses the northwest corner of the subject property;

2. The right of NLALP to access St. Mark's Lane, located
at the rear of the subject property, and at the rear of our
client's property, which Lane adjoins both properties on the
south side;

3. The failure to recognize, and the purported exclusion
pursuant to an agreement with certain neighbors in Zoning File
95-51-X, incorporated as Condition Two of the Order in the
instant case, which would purport to exclude NLALP from access
to Old Court Road at the south side of its property, across a
small portion of the Pomona property. As well as the failure
to recognize, the need, and the right to connect to the eight
inch sanitary sewer, storm drains, water lines, etc. as well as
a fifteen inch storm drain in the bed of St. Mark's Lane, the
latter of which touches the southwest corner of the NLALP
property.

November 14, 1994
Page Two

4. For such other and further reasons as shall be
brought out in the course of this appeal, and at the time of
any hearing hereon.

A check in the amount of \$320.00, representing the \$250.00
appeal fee, and two signs at \$35.00 each, one for the Naylors
Lane frontage and one for the Old Court Road frontage of the
Pomona property is enclosed herewith.

Thanking your staff and the staff of the Board of Appeals
for your attention to this matter, I am

Respectively,

Newton A. Williams
Newton A. Williams

NAW:mao
encl.

cc: Honorable William T. Hackett, Chairman
County Board of Appeals

Thomas B. Newell, Esquire
General Counsel for Pomona Corporation Centre

Howard Alderman, Esquire
Zoning Counsel for Pomona Corporation Centre

Nancy Paige, Esquire

Father H. Stucky, St. Mark's On The Hill Episcopal Church

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340

(410) 823-7800
TELEFAX: (410) 296-2765

November 14, 1994

Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
Old Court House
Towson, Maryland 21204

Re: Appeal on Behalf of Naylors Lane Associates Limited
Partnership ("NLALP") from Findings of Fact and
Conclusions of Law Dated October 24, 1994, involving
Pomona Corporation Center, Legal Owner, and Sunrise
Development, Inc., Contract Purchaser, Special
Exception and Other Relief for Property at 3901
Naylors Lane, Pikesville, Baltimore County, Maryland

Dear Commissioner Schmidt:

On behalf of our clients Naylors Lane Associates Limited
Partnership ("NLALP"), namely Mr. Mark Hellman, Mr. John Doyle,
et al., we respectfully appeal your Findings of Fact and
Conclusions of Law dated October 24, 1994, to the County Board
of Appeals for Baltimore County.

Among the other grounds of this appeal are the following:

1. A failure to recognize and safeguard the right of
NLALP to access Naylors Lane by means of an existing driveway,
which crosses the northwest corner of the subject property;

2. The right of NLALP to access St. Mark's Lane, located
at the rear of the subject property, and at the rear of our
client's property, which Lane adjoins both properties on the
south side;

3. The failure to recognize, and the purported exclusion
pursuant to an agreement with certain neighbors in Zoning File
95-51-X, incorporated as Condition Two of the Order in the
instant case, which would purport to exclude NLALP from access
to Old Court Road at the south side of its property, across a
small portion of the Pomona property. As well as the failure
to recognize, the need, and the right to connect to the eight
inch sanitary sewer, storm drains, water lines, etc. as well as
a fifteen inch storm drain in the bed of St. Mark's Lane, the
latter of which touches the southwest corner of the NLALP
property.

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM F. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT S. GLENNHARDY
STEPHEN M. SCHENNING
DOUGLAS J. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
E. BRUCE JONES
JOSEPH CURRAN III
STUART A. SCHADT

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700 COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES O. NOLAN
RETIRED 1980
J. CARLE PLUMHOFF
1942-1988
RALPH E. DEITZ
1918-1980
WALTER S. DIRECTORIAL
1918-1980

April 13, 1995

*ALSO ADMITTED IN D.C.
*ALSO ADMITTED IN NEW JERSEY

The Honorable William Hackett, Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

Re: **Sunrise Development, Inc.**

Dear Chairman Hackett:

Confirming my recent appearance for the record before the Board on Thursday, March 30, 1995, I am pleased to tell you that we have now concluded the necessary Settlement Agreement and Deed of Easement, and wish to direct the Board to act upon the Order of Dismissal, another copy of which is enclosed, which was filed with the Board on March 30th.

Secondly, by a carbon copy of this letter directed to Ron Fish, Esquire, we are directing to him an executed copy of the Deed of Easement which at the time of settlement with Sunrise is to be recorded immediately following the Deed to Sunrise from the sellers, and senior to any and all financing.

Parenthetically, we look forward to receiving back the Grading and Landscape Agreement, executed by Sunrise, and to be executed by our clients, but that need not delay this settlement.

Thanking the Board and everyone concerned for their cooperation, I am

Respectfully,

Newton A. Williams

Newton A. Williams

NAW/vrs
Enclosure
cc: Ronald P. Fish, Esquire
Mr. Billy Shields
Mrs. Jean Tansey
Mr. Mark Helman
Mr. John Doyle
Mr. Mark Segall
Mr. Art Trout

3/30/95
further relaxation of
agreement, to be
assured of same by
Newton A. Williams
dear. When dismissed
see

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT, made this 28TH of MARCH, 1995, by and between SUNRISE DEVELOPMENT, INC. and CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP, (hereinafter collectively called "Sunrise"), and NAYLORS OFFICE PARK LIMITED PARTNERSHIP (hereinafter called "Naylors"), parties of the first party, and NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP, (hereinafter called "Naylors Lane"), party of the second part.

WHEREAS, Naylors is the fee simple owner of a tract of land located on Naylors Lane in the Third Election District of Baltimore County, containing 4.27 acres, more or less, formerly known as "Naylors Office Park", more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7488, folio 799, (hereinafter called the "Property"); and

WHEREAS, Sunrise is the contract purchaser of the Property; and

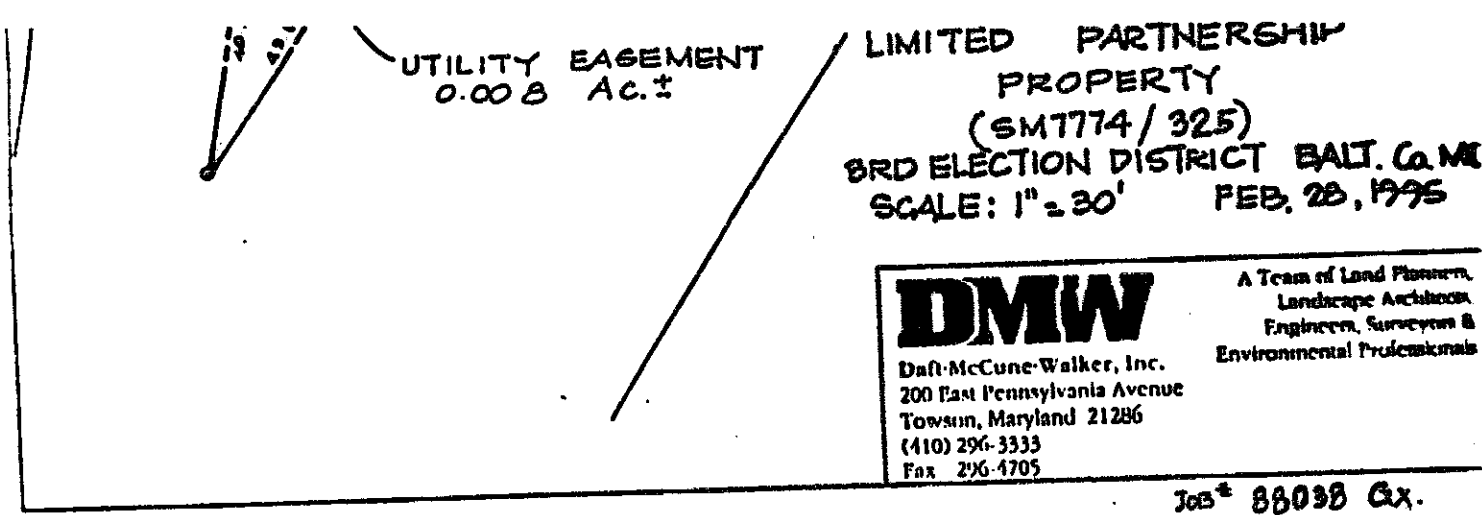
WHEREAS, Sunrise wishes to construct a Class B assisted living facility and a child care facility on the Property; and

WHEREAS, a special exception by the Baltimore County Zoning Commissioner is required to permit such use of the Property; and

WHEREAS, Sunrise has applied for the granting of a special exception and a hearing on the said application was held on September 30, 1994; and

WHEREAS, in Case No. 95-51-X, by the Findings of Fact and Conclusions of Law dated October 24, 1994, the aforesaid special exception was granted for the Property; and

WHEREAS, Naylors Lane is the owner of an adjoining property immediately to the west of the Property, of approximately 1.01 acres, which property is described in a deed recorded among the Land Records of Baltimore County at Liber 7550, folio 485, hereinafter called the Naylors Lane Property;



DEED OF EASEMENT

THIS DEED OF EASEMENT, made this 28TH day of MARCH, 1995, by and between CONSTELLATION/SUNRISE PIKESVILLE LIMITED PARTNERSHIP hereinafter referred to as "Grantor," and NAYLORS LANE ASSOCIATES LIMITED PARTNERSHIP, hereinafter referred to as "Grantee".

WHEREAS, Grantor is the fee simple title owner of certain real property lying and being in Baltimore County, Maryland, formerly known as Naylors Office Park and more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7488, folio 799 (the "Property"), being the same property conveyed to Grantor pursuant to that certain Deed dated and recorded among the land records of Baltimore County in Liber ___, folio __; and

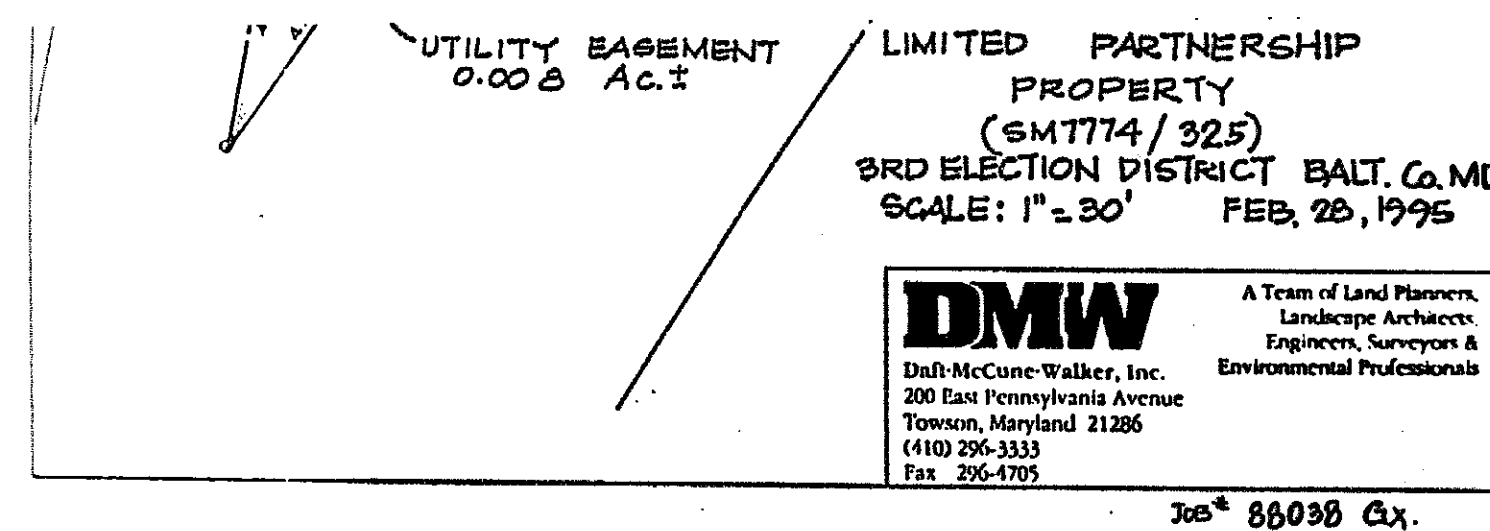
WHEREAS, Grantee is the fee simple title owner of an approximately 1.01 acre tract of real property located adjacent to the Property and more fully described in a deed recorded among the Land Records of Baltimore County at Liber 7800, folio 485 (hereinafter referred to as either "Grantee's Land" or the "Naylors Lane Property"); and

WHEREAS, Grantor desires to sell, grant and convey to Grantee certain easements pertaining to that certain portion of the Property described on Exhibit A ("the Access Easement") and Exhibit B ("the Utility Easements") attached hereto and by this reference made a part hereof with rights and privileges as described below; and

WHEREAS, Grantee desires to vacate and release certain rights of access and other easements located on the Property as set forth more fully hereinbelow.

NOW THEREFORE, in consideration of the promises and the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree follows:

1. **The Access Easement.** The Grantee shall have the non-exclusive right to utilize the Access Easement as indicated on Exhibit A, in common with Grantor and its invitees and others authorized by Grantor, for pedestrian and vehicular access to Old Court Road from Grantee's Land. Grantee, in conjunction with the development of Grantee's Land, shall have the right to construct, open, and maintain a driveway connection and access driveway to Old Court Road in the Access Easement area. The Access Easement shall run with the title to Grantee's Land, as well as with the



TRANSMITTAL

DMW

Duff-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 296-3333
Fax: 296-1705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

LARRY SCHMIDT
ZONING COMMISSIONER

Date: 10.7.94
Job No.: 86098-C
Attention:
Reference: SUNRISE & PIKESVILLE

We are sending you:
☒ Attached
☐ under separate cover:
☐ Samples
☒ Plans

Copies	Date	Number	Description
1			AGREEMENT W/COMMUNITY & EXHIBITS
1			FULL SIZE EXHIBIT 'A'

These are transmitted as checked below:
☒ For approval
☐ For your use
☐ As requested
☐ For review and comment

☐ Approved as submitted
☐ Approved as noted
☐ Returned for corrections

☐ Resubmit
☐ Submit
☐ Return

____ copies for approval
____ copies for distribution
____ corrected prints

THOUGHT THIS MAY BE HELPFUL IN DRAFTING
YOUR ORDER. COUPLE OF THINGS YOU SHOULD KNOW:
1. EXHIBIT 'A' IS DATED 10.5.94, NOT 9.10.94 AS
COVENANT SAYS (!?) OOPS.
2. EXHIBIT 'C' WILL HAVE 2 DIFFERENT SIGN ELEVATIONS
BEFORE IT IS RECORDED.
HAVE A GREAT WEEKEND!

cc: BILLY SHIELDS, SUNRISE

Signed

Jan

L37990a-124 S
2:10/05/94

THIS AGREEMENT, made this ___ day of October, 1994 by and between SUNRISE DEVELOPMENT, INC. ("Sunrise"), and NAYLORS OFFICE PARK LIMITED PARTNERSHIP ("Naylors"), parties of the first part, and THE PINE RIDGE ASSOCIATION, INC., GORDON E. SUGAR, NANCY E. and DAVID M. PAIGE, and ST. MARKS ON-THE-HILL EPISCOPAL CHURCH (the "Church"), parties of the second part, all of the said parties being in Baltimore County, State of Maryland.

WHEREAS, Naylors is the fee simple owner of a tract of land located on Naylors Lane in the Third Election District of Baltimore County containing 4.27 acres, more or less, formerly known as "Naylors Office Park," (the "Property"); and

WHEREAS, Sunrise is the contract purchaser of the Property; and

WHEREAS, Sunrise wishes to construct a Class B Assisted Living facility and a child care facility on the Property; and

WHEREAS, a special exception by the Baltimore County Zoning Commissioner is required to permit such use of the Property; and

WHEREAS, Sunrise has applied for the granting of a special exception and a hearing on said application was held on September 20, 1994; and

WHEREAS, the parties of the second part have agreed not to oppose the granting of the necessary special exception upon the execution of this Agreement by the parties of the first part.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained and the payment of the sum of

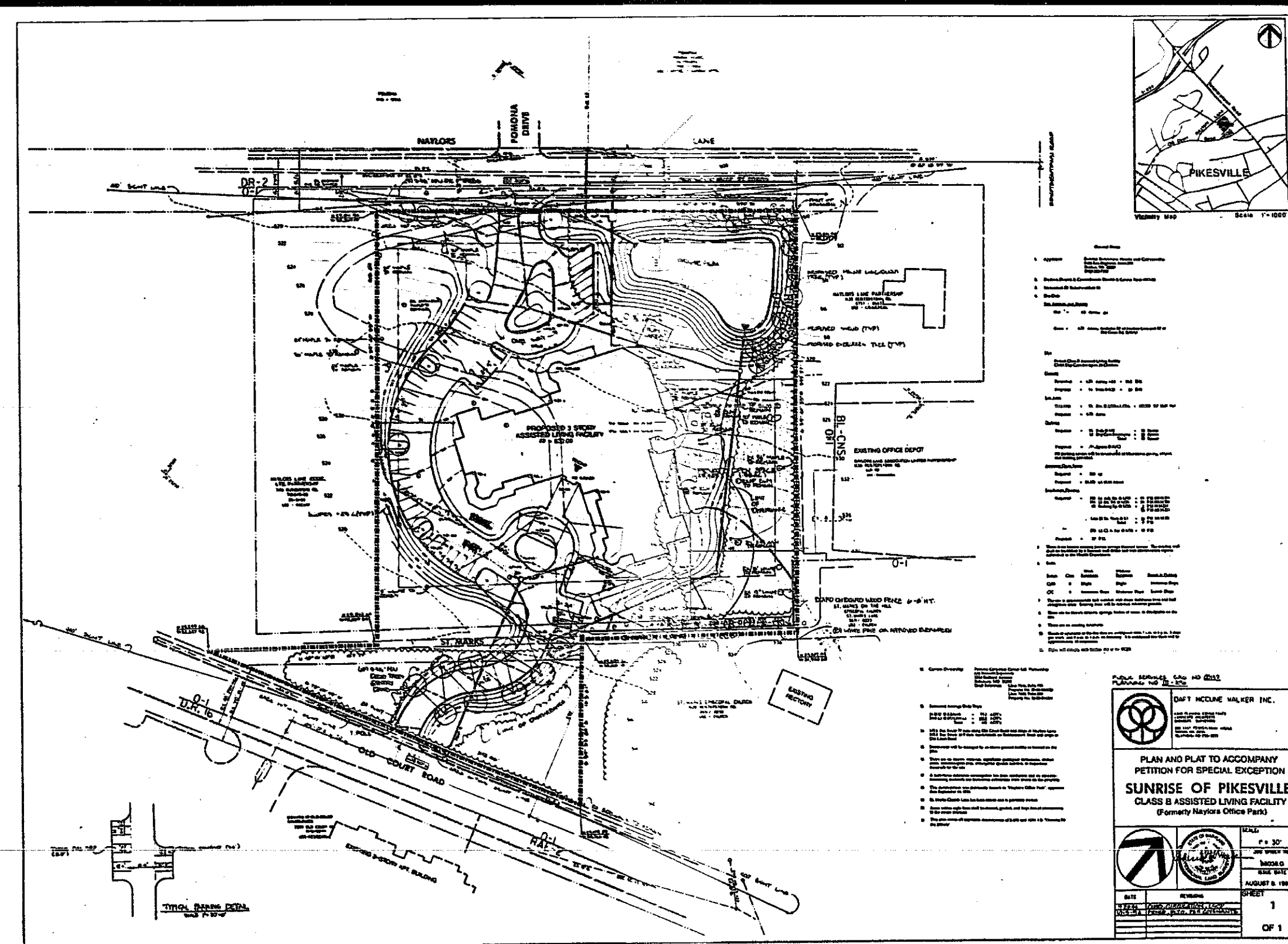


Exhibit A

County Government
Administration
Management

HEARING

Authority of the Zoning Act and Regulations of Baltimore
on the property identified herein is
assessable Avenue in Towson, Maryland 21204
*
Avenue, Towson, Maryland 21204 as follows:

trash

Room 118, Old Courthouse.

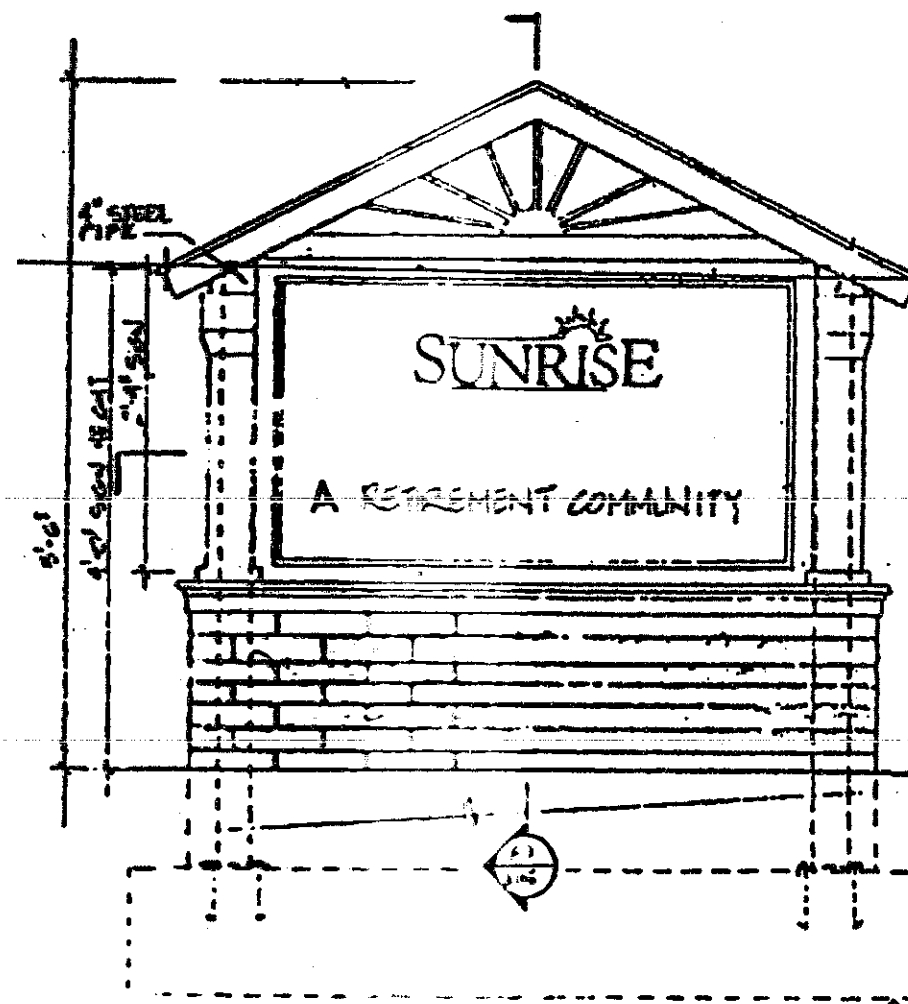
city and accessory group child care.

104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
HEARING, CONTACT THIS OFFICE AT 887-3391.



FRONT ELEVATION (PORT COCHERE REMOVED FOR CLARITY)
NOT TO SCALE

Exhibit B
SUNRISE OF PIKESVILLE



SIGN ELEVATION
NOT TO SCALE

Exhibit C
SUNRISE OF PIKESVILLE

Exhibit D

RELEASE OF AGREEMENT

THIS RELEASE OF AGREEMENT (this "Release") is made this day of 11-9-94, 1994, but effective as of (the "Effective Date") by and between SUNRISE DEVELOPMENT, INC. and NAYLORS OFFICE PARK LIMITED PARTNERSHIP, parties of the first part, and THE PINE RIDGE ASSOCIATION, INC., GORDON E. SUGAR, NANCY E. PAIGE and DAVID M. PAIGE and ST. MARKS ON-THE-HILL EPISCOPAL CHURCH, parties of the second part.

WHEREAS, by Agreement dated 11-9-94 and recorded among the Land Records of Baltimore County, Maryland in Liber 11-9-94, Folio 11-9-94, between the parties of the first part and the parties of the second part, the parties hereto established certain covenants, restrictions and conditions running with the land and imposed upon the property therein described (the "Property"); and

WHEREAS, the parties hereto desire by this Release to confirm the termination of the Agreement and release the Property therefrom, all as of the effective date.

NOW THEREFORE IN CONSIDERATION of the entry into this Release by each party hereto and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by each party hereto, the parties hereto hereby (1) cancel and terminate the Agreement to the end that it shall be of no further force or effect; (2) release the Property from the operation and effect of the Agreement; and (3) agree to give such further assurances of the foregoing as may be requisite, all of which actions are effective from and after but not before the Effective Date.

IN WITNESS WHEREOF, each party hereto has executed and sealed this Release or caused it to be executed and sealed on its behalf by its duly authorized representatives the day and year first above written.

WITNESS/ATTEST:

SUNRISE DEVELOPMENT, INC.

By [Signature] (SEAL)

NAYLORS OFFICE PARK LIMITED PARTNERSHIP

By [Signature] (SEAL)

Howard Saperstein
General Partner

[SIGNATURES CONTINUED ON NEXT PAGE]

11-9-94
Date
ZADM TRANSMITTAL
887-3333
Project Name: Sunrise - Pikeville // Project Not Started
Project Manager: Marcato ZADM No: 11-9-94
Type of Plan: FDA // Preliminary // Final // Statute
Team Leader: Jewis
Engineer: RMW Tele # 296-3333

Phase II Routing Slip:

Scheduled submission date: (see Project Chart) _____

Scheduled completion date: (see Project Chart) _____

or
(2 wks from submission)

Approved

Approved with comments

Returned for revision

Disapproved

ACTION TAKEN

BY REVIEWER:

REMOVE THE SIGN DETAIL FROM THIS ZONING FINAL DEV. PLAN AND BE AWARE THAT THE PROPOSED SIGNS DO NOT OBVIOUSLY COMPLY WITH SECT 413 B.C.Z. PROVIDE 10 REVISED PLAN COPIES FOR SIGNATURE.
ZADM DEV CONTROL
Agency
Reviewer's Name
Date

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____

Name

05.10.90 REV. 10.97 FAX 410.410.1122
SUNRISE PIKESVILLE
SUNRISE DEVELOPMENT, INC. PIKESVILLE, MARYLAND 21208

SUNRISE DEVELOPMENT, INC.

May 8 1996

Arnold Jablon esq
Director
Department of Permits and
Development Management
111 W. Chesapeake Ave.
Room 111
Towson, MD 21204

Sunrise requests a "Spirit and Intent" letter from your office for our Sunrise of Pikeville assisted living facility located at 3800 Old Court Road. Our original petition for Special Exception was approved by Lawrence Schmidt for an assisted living facility in October, 1994. The case number was 95-21-X. The design of the facility at that time was for 72 units/96 residents. The findings of the special exception support the original design.

After first consulting with Mr. Schmidt, Sunrise modified the design of the facility to 77 units/96 residents. This was done without changing the original building footprint or parking design. This design change was completed in Spring, 1996. We do not have Mr. Schmidt's acceptance of this change in writing.

We request your approval of this new design within the spirit and intent of the original special exception. Currently the facility is fully constructed and we have our occupancy permit.

Your response is needed by Friday, May 11, in time for our state licensing inspection scheduled for the following week. I am available by phone at any time to answer questions at (703) 273-7500. I will also meet with you at any time to help expedite your response. Thank you.

Sincerely,

Michael Pansky

Michael Pansky
Development Officer

Attachments: Special Exception Approval Letter
Special Exception Site Plan

9401 Lee Highway • Suite 300 • Fairfax, Virginia 22031-1803 • (703) 273-7500 • FAX (703) 373-7501

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

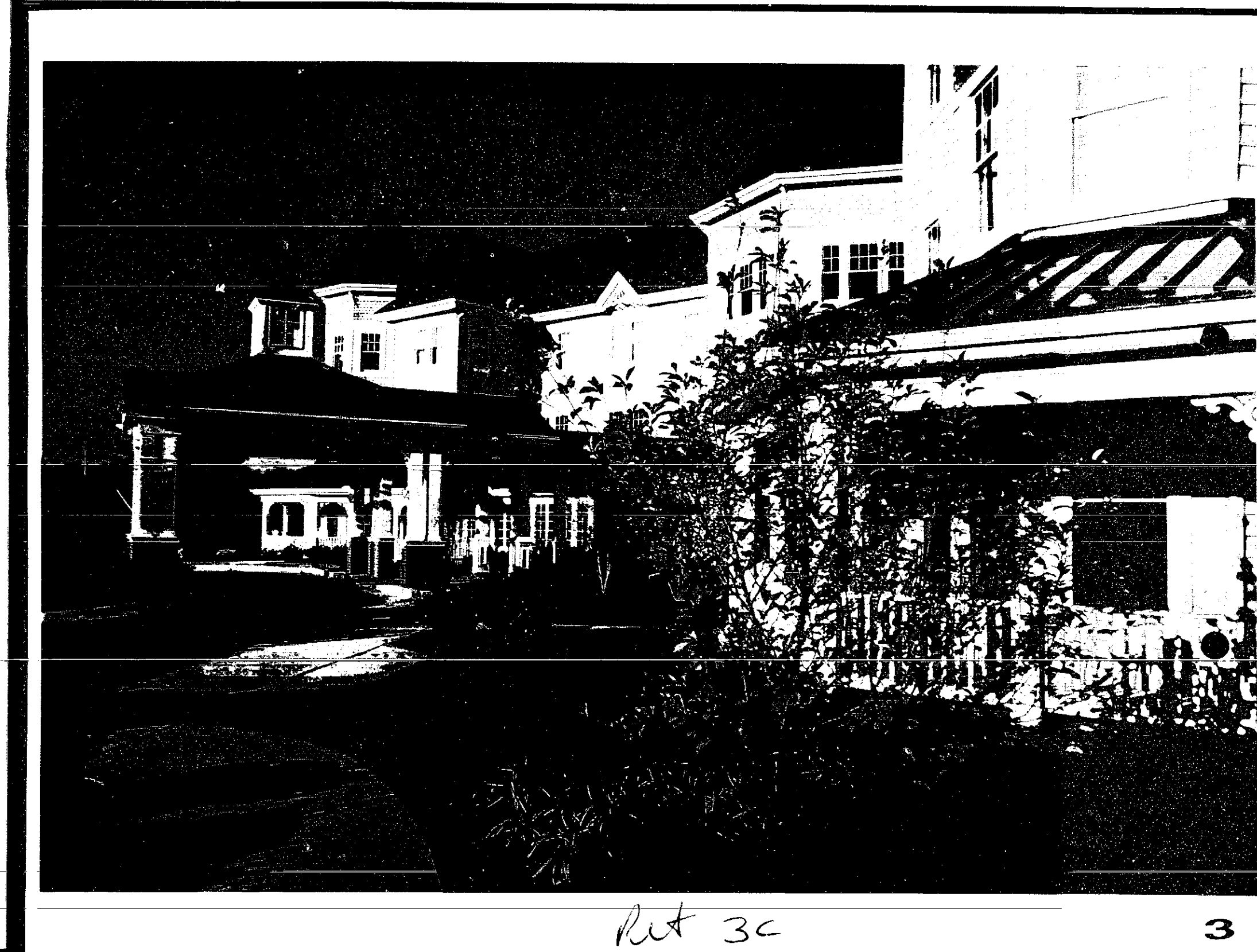
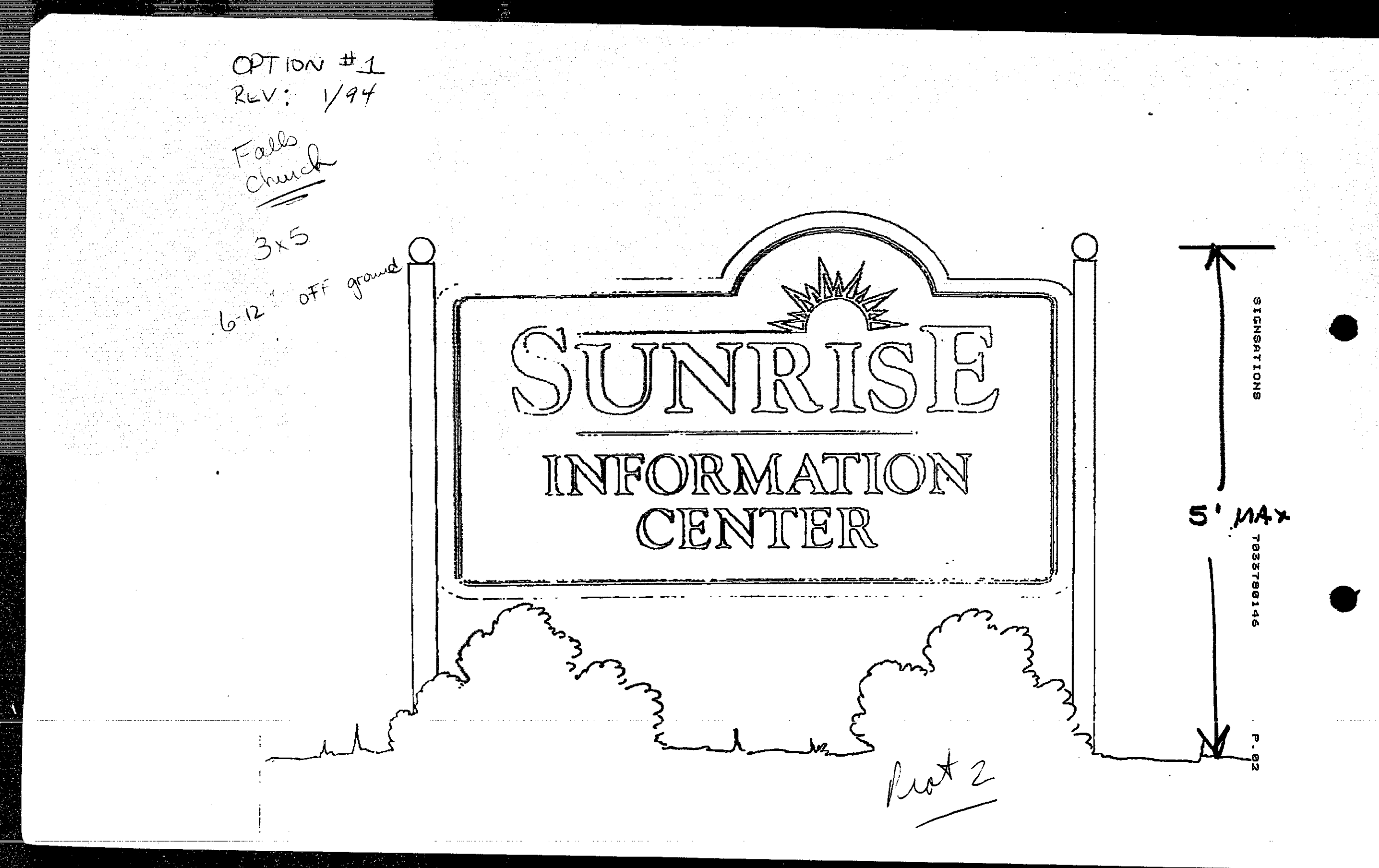
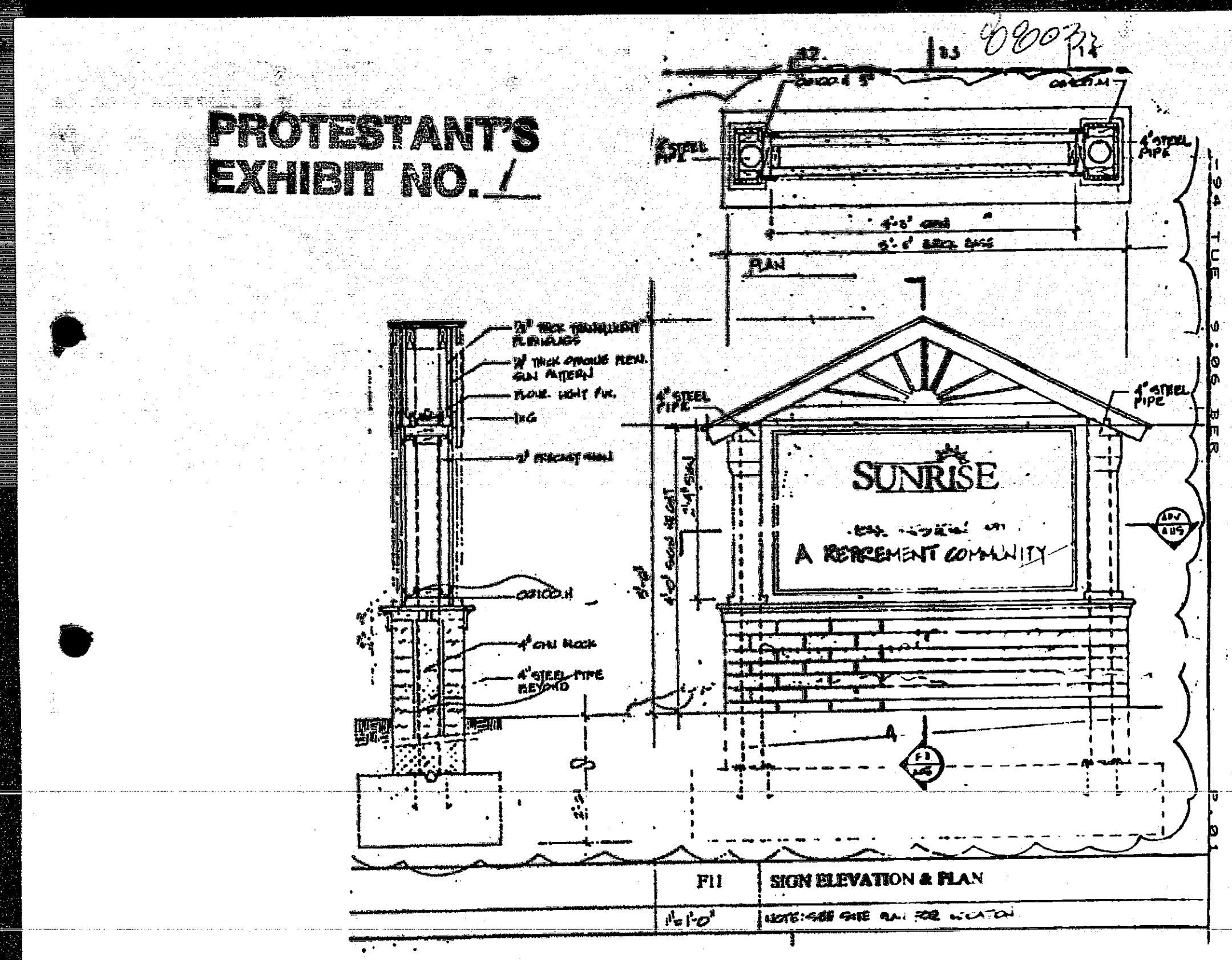
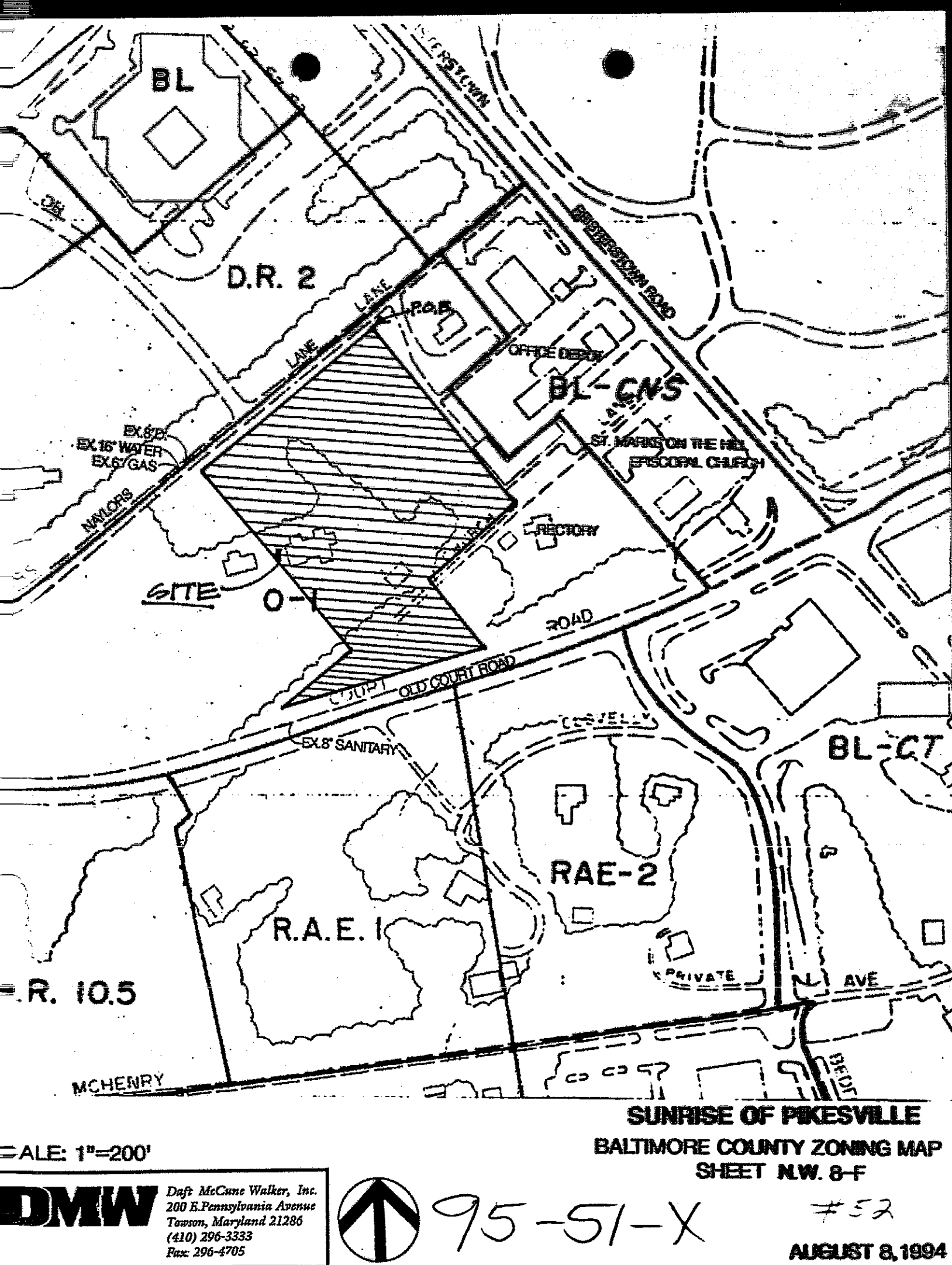
NAME	ADDRESS
<u>Howard Anderson Esq</u>	<u>305 W Chesapeake Ln #113</u>
<u>Ken Tansy</u>	<u>Towson MD 21204</u>
<u>WHITNEY WAGNER</u>	<u>2001 Lee, 300 E. PARK, 15th St</u>
<u>William Shields</u>	<u>4215 EVERGREEN LANE</u>
	<u>ANNANDALE VA 22003</u>
	<u>9401 Lee Highway, Suite 300</u>
	<u>Fairfax VA 22031</u>

Printed with Soybean Ink
on Recycled Paper

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<u>Robert H. Shick</u>	<u>1620 Rockhurst Rd 21208</u>
<u>Steve H. Henson</u>	<u>1620 Rockhurst Rd 21208</u>
<u>Robert H. Henson</u>	<u>1620 Rockhurst Rd 21208</u>
<u>Gunnar Plumb</u>	<u>1100 Rock, East MD 21001</u>
<u>Dick Randall</u>	<u>1201 Conn. Ave NW</u>
<u>Gordon E. Saperstein</u>	<u>Washington DC 20036</u>
<u>Gordon E. Saperstein</u>	<u>10000 N. Pikeville MD 21208</u>



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 3901 Naylors Lane

INFORMATION:

Item Number: 52

Petitioner: Pomona Corporate Centre Ltd. Partnership

Property Size: _____

Zoning: O-1

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The proposed assisted living facility and day care center is located in the Pikeville Revitalization Plan area. The Pikeville Revitalization Plan (adopted by the County Council in 1991) suggests that there is a need for specialized senior housing. The proposed assisted living facility will complement Pikeville's diverse housing stock. The proposed assisted living facility and accessory day care will also yield fewer vehicle trips from the site than the previously approved 90,000 sq. ft. office building.

Given the negligible impact of the proposed uses on the surrounding community, the Office of Planning and Zoning supports the applicant's request for the proposed assisted living facility and accessory day care with the following recommendations.

- In an effort to ensure the privacy of the existing rectory, the petitioner should minimize disturbance of existing vegetation along the southeast border and install mature evergreen compact screening and a privacy fence along the southeast border.

- The Old Court Road Corridor Study (a document adopted by the Planning Board in 1984) recommends streetscaping sites developed along Old Court Road.

Pg. 1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: September 20, 1994

SUBJECT: 3901 Naylors Lane (SUNRISE OF PIKEVILLE)

INFORMATION:

Item Number: 52

Petitioner: Pomona Corporate Centre Ltd. Partnership

Property Size: _____

Zoning: O-1

Requested Action: _____

Hearing Date: _____

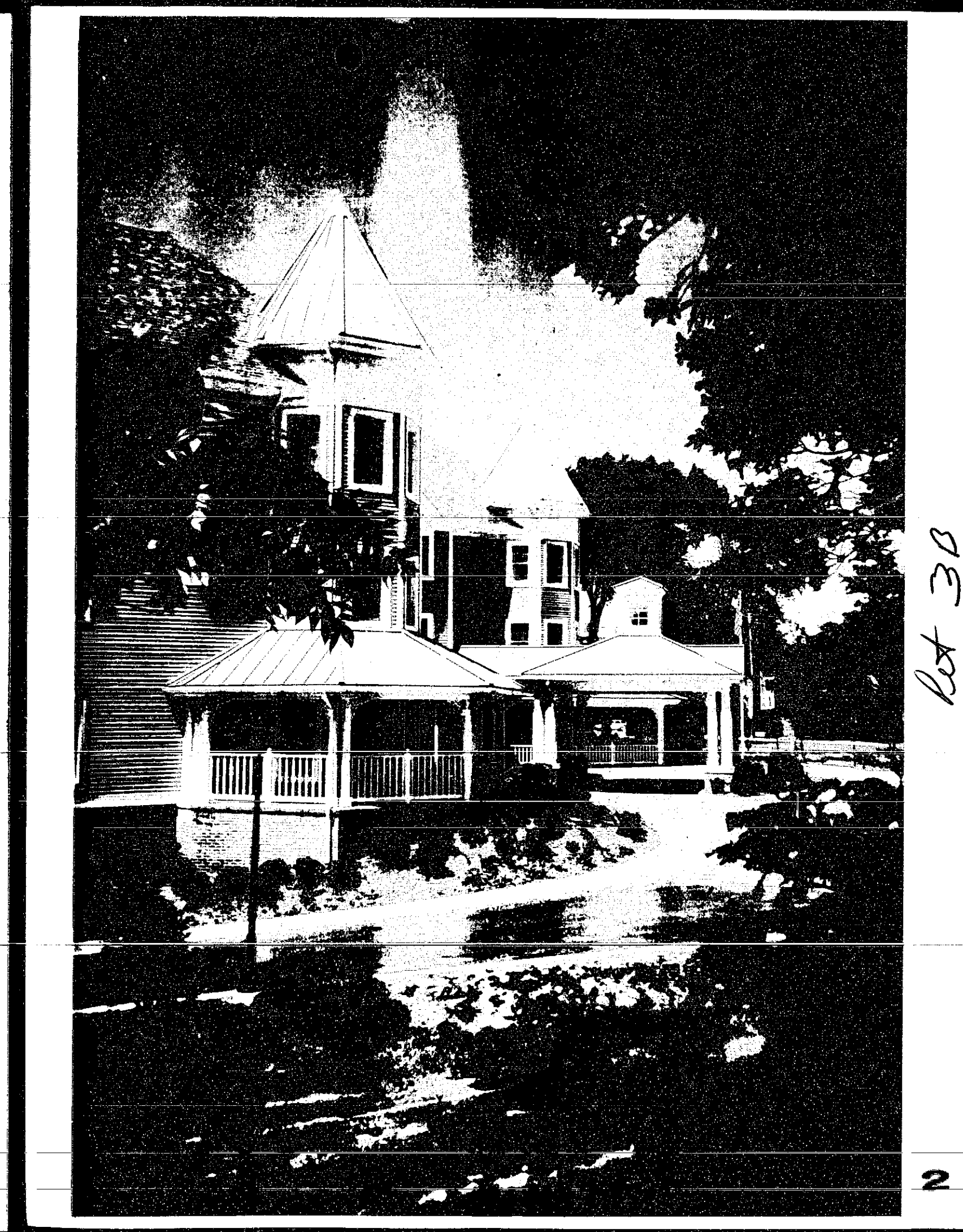
SUMMARY OF RECOMMENDATIONS:

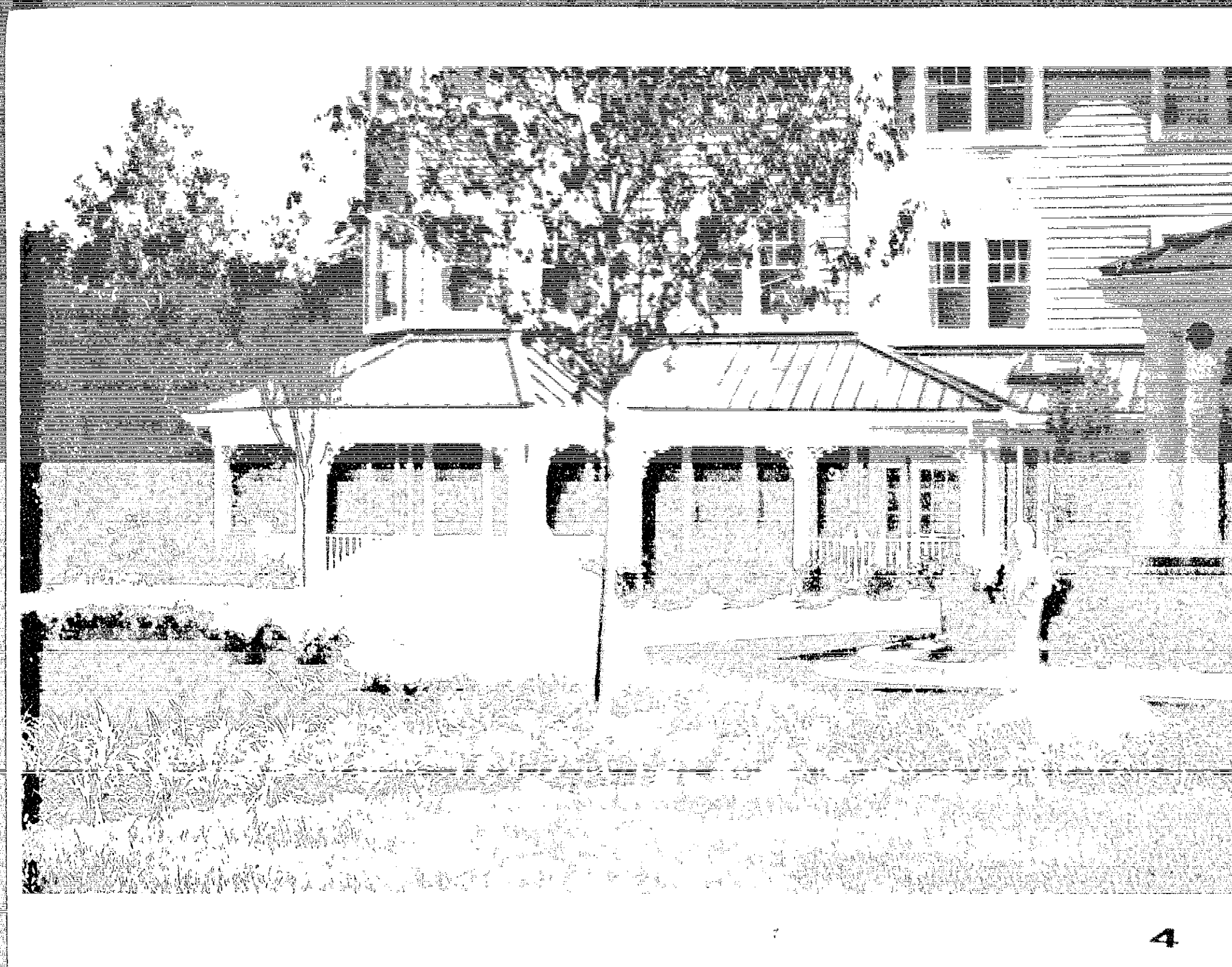
The Office of Planning and Zoning has reviewed the proposed Plan for Sunrise of Pikeville Class B assisted living facility and finds the Plan to be compatible with the adjacent uses. This Office also recommends approval for the Modification of Standards to exceed the building length of 240 feet for a multi-family building.

Staff recommends the Zoning Commissioner to review the covenants for this project and apply any condition to his order if appropriate.

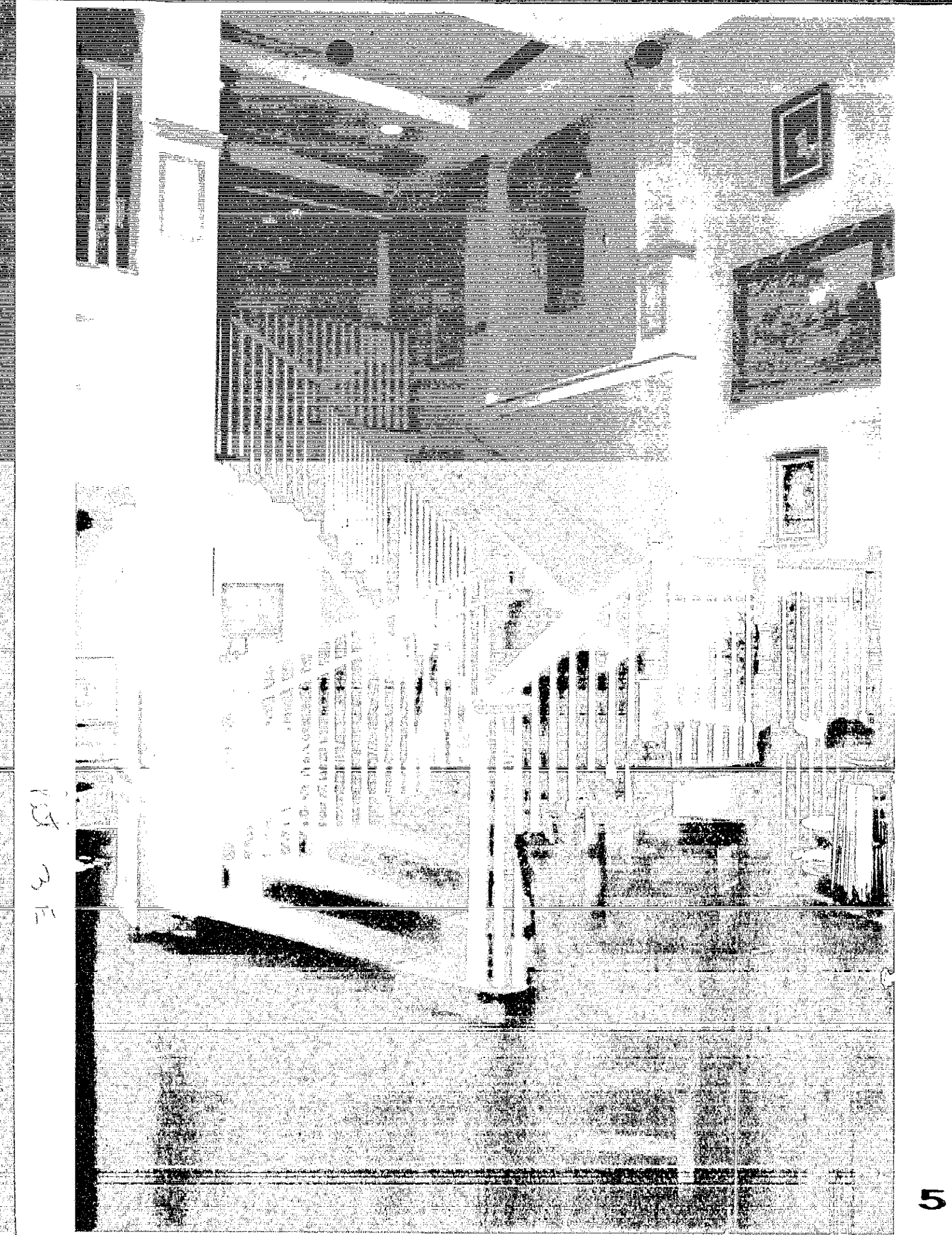
Erin McDaniel
Erin McDaniel

PK:EmcD:bjs





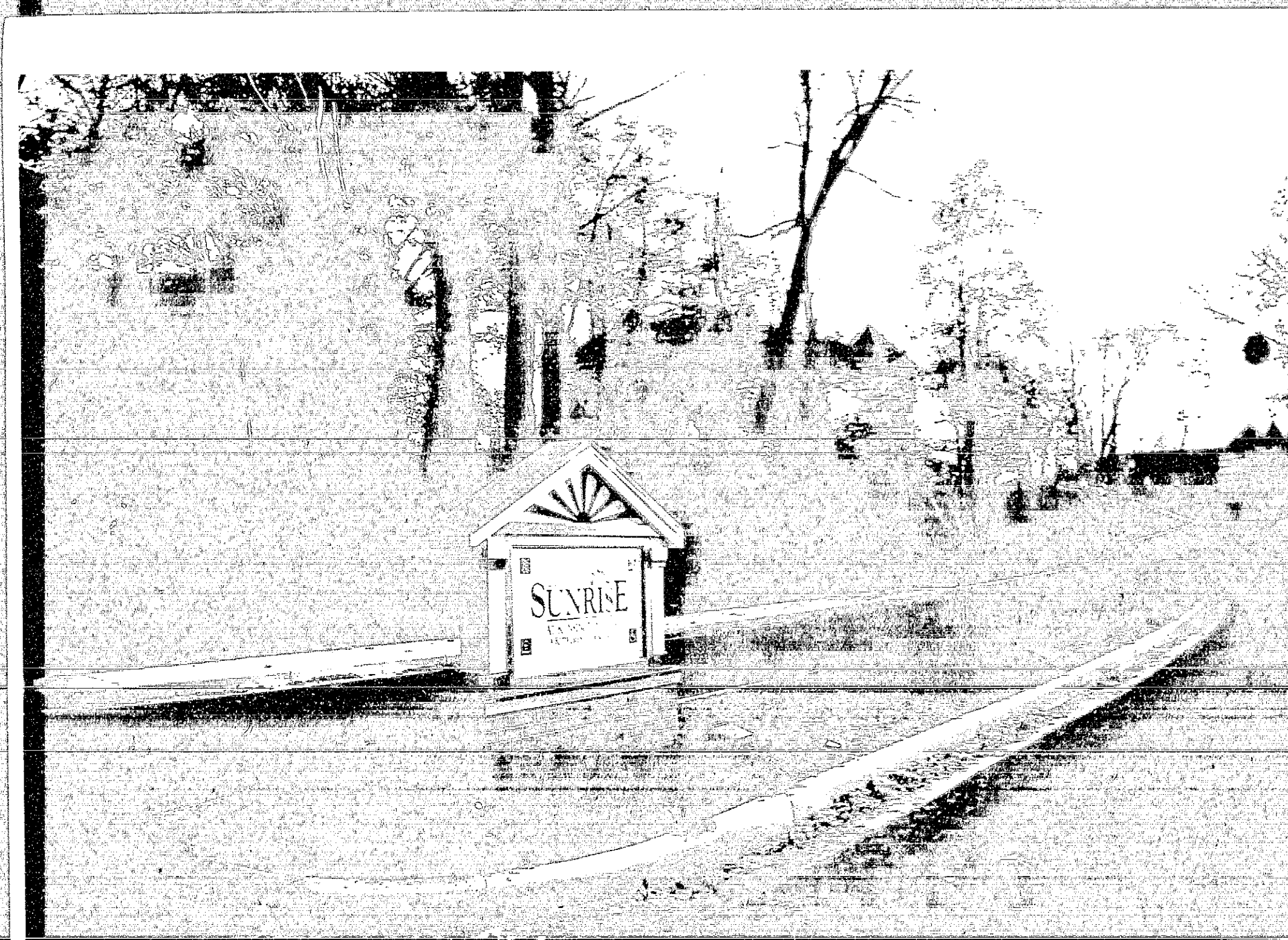
4



5



6



7



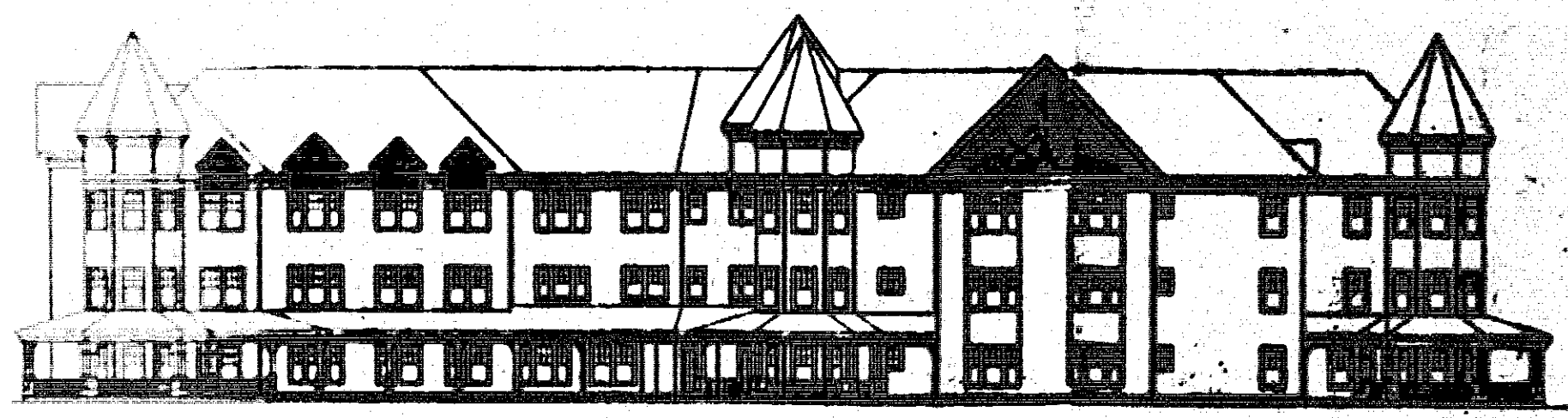
8

SUNRISE ASSISTED LIVING

Recognitions and Awards

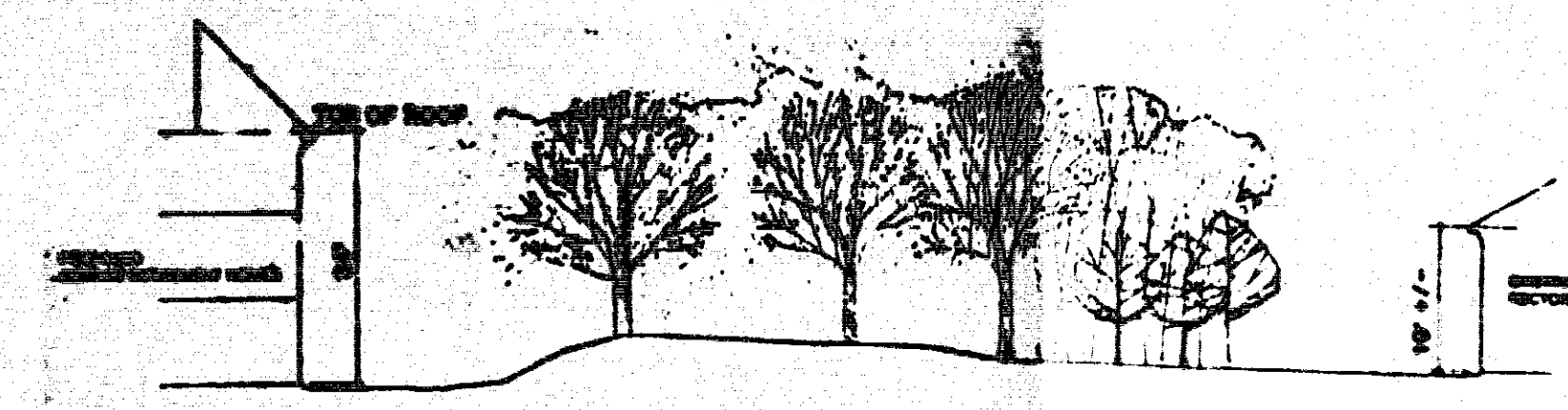
- Included on the Inc. Magazine list of the 500 fastest-growing private companies in America. Only one percent of the Inc. 500 companies have been included on the list three times.
— ranked 385 in 1990 — ranked 441 in 1992 — ranked 412 in 1993
- Second-highest-ranking private company for job creation during 1988-1992, according to Inc. Magazine
- Sunrise Founder Teresa Klaassen named 1993 Greater Washington, DC Entrepreneur of the Year
- Selected by various governmental organizations as manager for several municipal retirement communities
- Featured in the New York Times, Washington Post, Washington Business Journal, industry publications and senior advocacy journals (such as the AARP Bulletin)
- Covered by national cable and broadcast television networks as well as local television stations
- 1994 FastTrack Award winner for fastest-growing healthcare business in the Greater Washington, DC, area (award sponsored by the Washington Business Journal and Arthur Andersen)
- 1994 National Association of Home Builders Award for Outstanding Assisted Living Architectural Design for Sunrise at Falls Church (Falls Church, VA)
- 1994 National Association of Home Builders Award for Outstanding Affordable Senior Housing Architectural Design for Sunrise at Kensington Park (Kensington, MD)
- 1993 National Association of Home Builders Award for Outstanding Assisted Living Architectural Design for Sunrise at Metzer Island (Washington state)
- 1991 Contemporary Long Term Care Magazine—Architectural Design Competition Winner
- 1991 Contemporary Long Term Care Magazine—Interior Design Competition Winner
- 1991 National Association of Counties "National Excellence Award" for management services at The Lincolnman Senior Residences (Alexandria, VA)
- 1991 Master Builder's Association "Marketing & Merchandising Excellence Award"
- 1990 Cornerstone Awards: "Best Mixed-Use Project," Sunrise at Bluemont Park (Arlington, VA)

Pat - BI

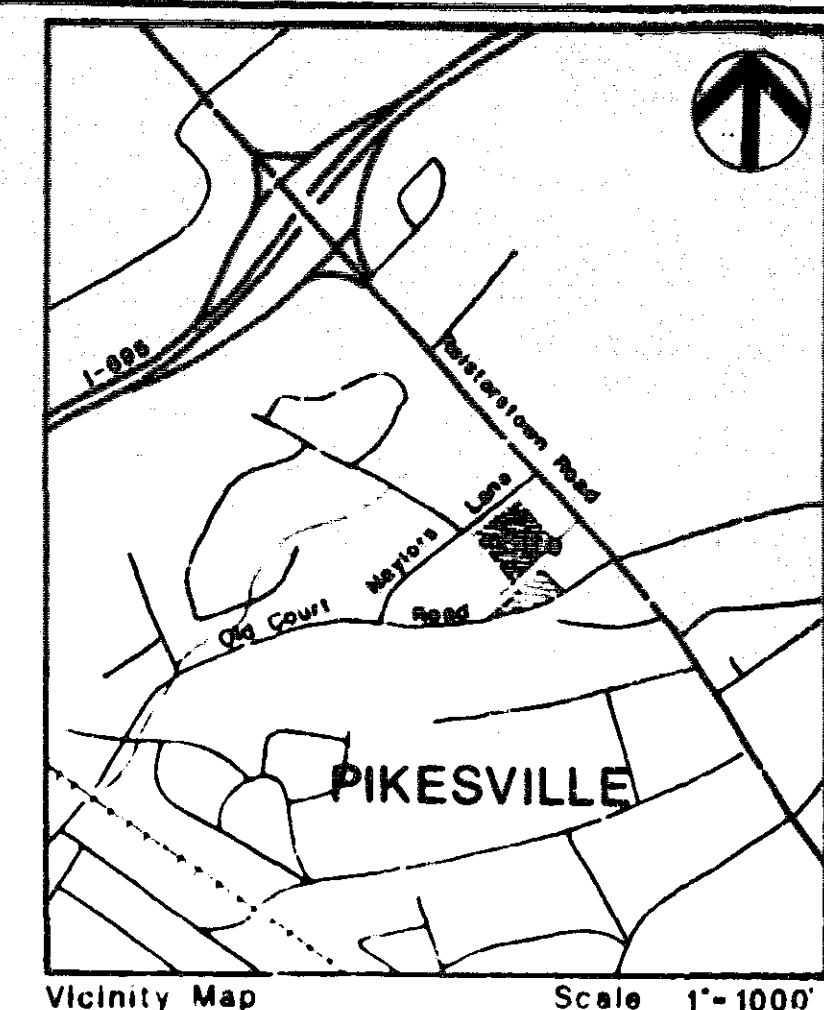


FRONT ELEVATION (PORT COCHERE REMOVED FOR CLARITY)
NOT TO SCALE

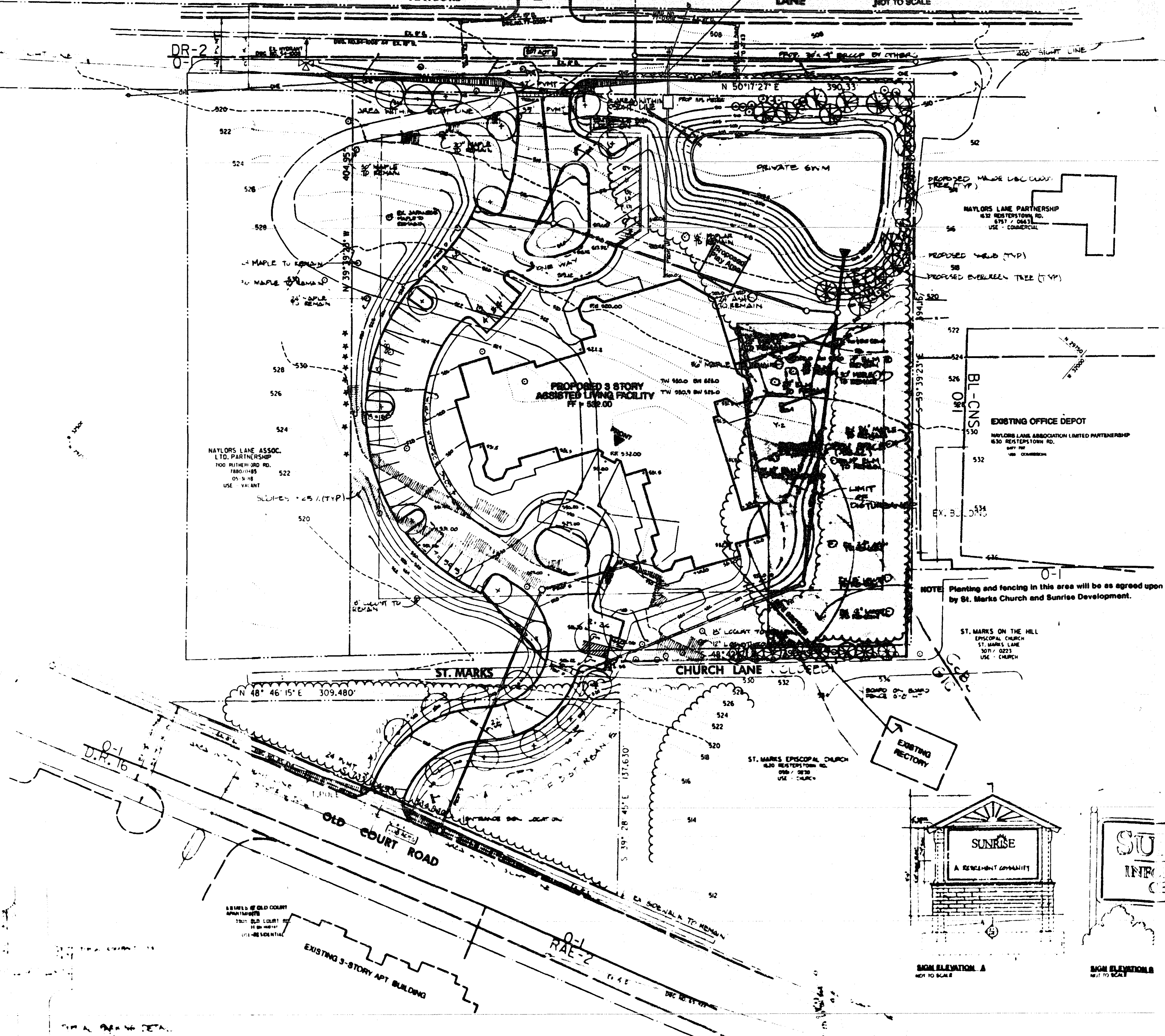
PERMANENT
FENCED AREA
TO REMAIN
USE - OFFICE / GARAGE APRIL



SITE SECTION
NOT TO SCALE

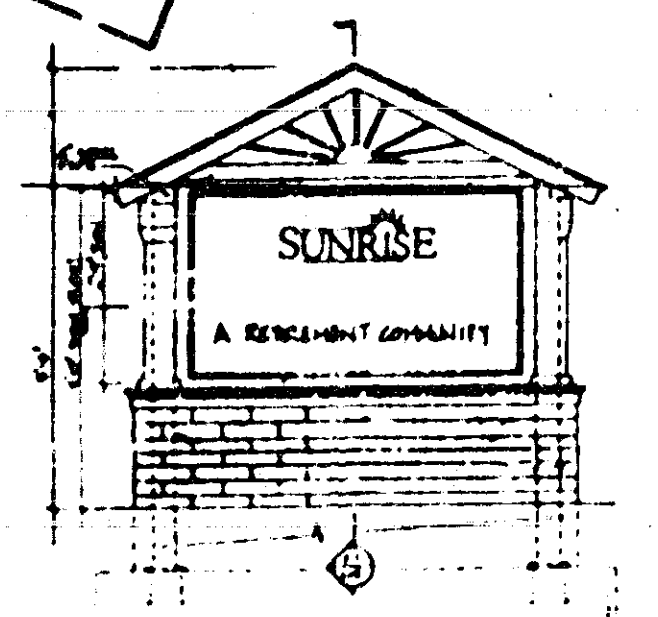


Vicinity Map Scale 1"=1000'



- General Notes**
1. Applicant: Sunrise of Pikeville, Inc.
 2. Project: Sunrise of Pikeville, Class B Assisted Living Facility
 3. Location: 6320 RUSTINGTON RD., PIKEVILLE, MD 21135
 4. Site: 10.00 Acres
 5. Zoning: R-10
 6. Surrounding Land Use: Residential
 7. Project Description: A 3-story assisted living facility with 120 units, including private swimming pool, parking, and landscaping.
 8. Projected Costs: \$10,000,000
 9. Projected Revenue: \$1,000,000
 10. Projected Net Income: \$9,000,000
 11. Projected Payback Period: 10.00 Years
 12. Projected IRR: 15.00%
 13. Projected NPV: \$1,000,000
 14. Projected PV: \$1,000,000
 15. Projected PV: \$1,000,000
 16. Projected PV: \$1,000,000
 17. Projected PV: \$1,000,000
 18. Projected PV: \$1,000,000
 19. Projected PV: \$1,000,000
 20. Projected PV: \$1,000,000

PRINTED
NOV 09 1994
DAFT MCCUNE WALKER, INC.

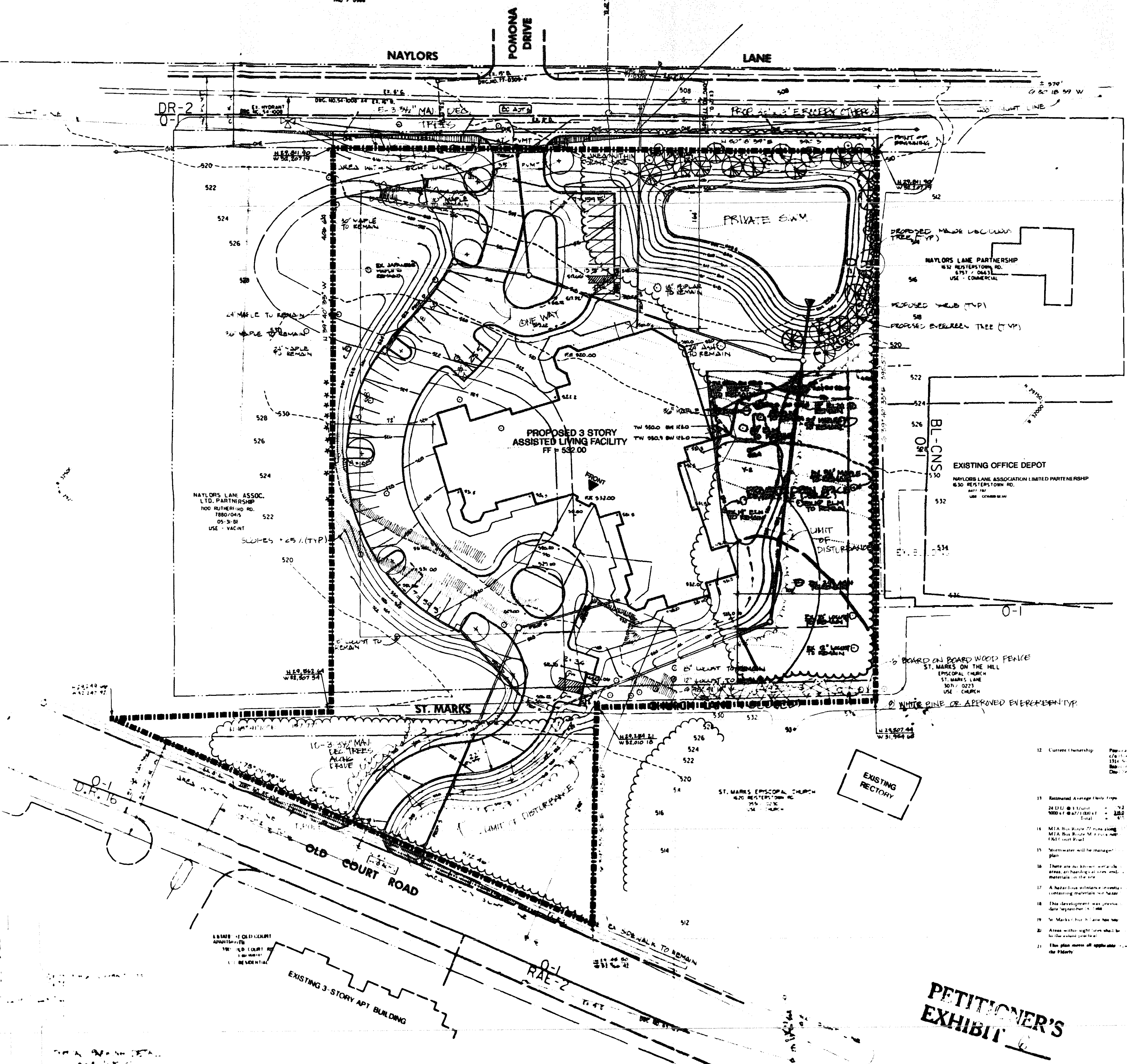
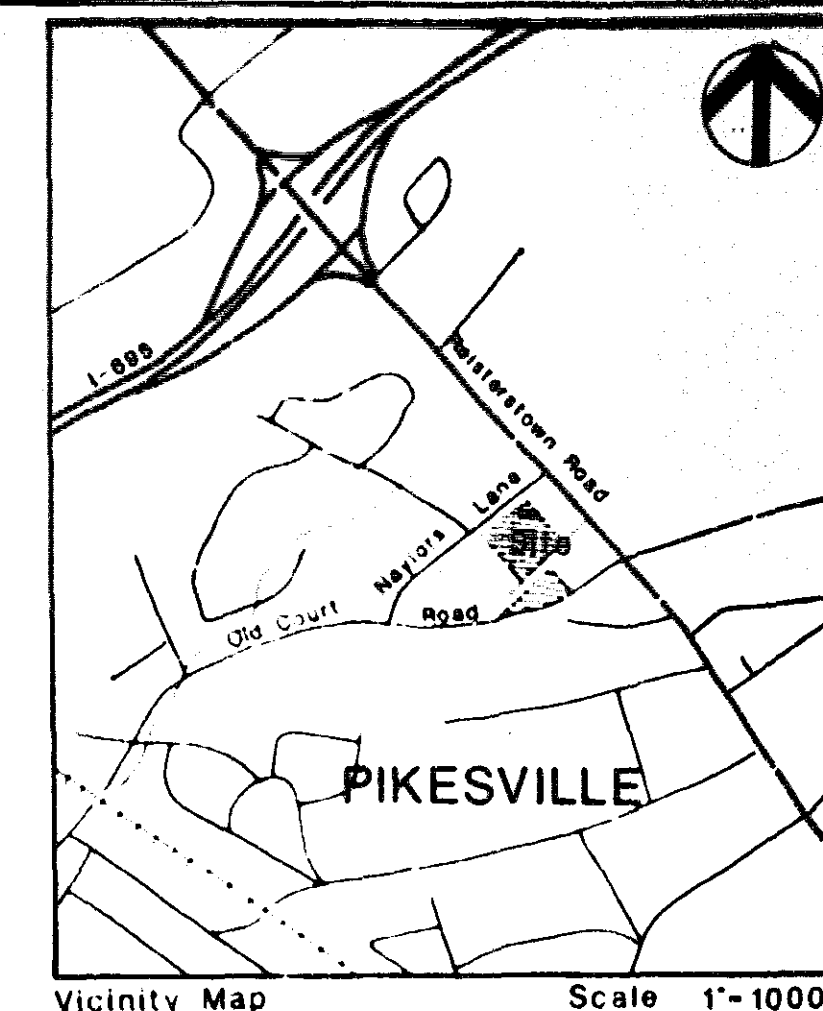


SMALL ELEVATION A
NOT TO SCALE




SMALL ELEVATION B
NOT TO SCALE

DAFT MCCUNE WALKER, INC.	
ARCHITECTS	
1000 N. WASHINGTON ST.	
Baltimore, MD 21201	
TEL: (410) 524-1000	
FAX: (410) 524-1001	
E-MAIL: dmw@dmw.com	
WWW: www.dmw.com	
FINAL DEVELOPMENT PLAN	
SUNRISE OF PIKEVILLE	
CLASS B ASSISTED LIVING FACILITY	
(Formerly Naylor's Office Park)	
Election District 3	
Baltimore County, MD	
SCALE: 1"=30'	
JOB ORDER NO. 88036 G	
ISSUE DATE 9 NOV 94	
SHEET 1 OF 1	



- General Notes**
1. Applicant: Sunrise Retirement Homes and Communities
9601 Lee Highway, Suite 300
Fairfax, VA 22031
(703) 273-7000
2. Election District 3, County/Incorporated District 7, Census Tract 4034.02
3. Watershed 27, Subwatershed A5
4. Site Data
- Site Average and Zoning**
- Net = 4.73 Acres (C)
- (Gross = 4.73 Acres (includes 30 ft. Mayland Lane and 30 ft. Old Court Rd. R/W's))
- USE**
- as of Class B Assisted Living Facility
as of Class B Assisted Living Facility
- UTILITIES**
- Estimated = 4.73 Acres x 5.5 = 26.115
Proposed = 46 Bells @ 0.25 = 24.125
- Lot Area**
- Required = 46 Rows 2,000 sq. ft./Row = 192,000 sq. ft. (4.41 Acres)
Proposed = 4.73 Acres
- Parking**
- Required = 46 Bells @ 1/3 = 32 Spaces
10 Days Care Employees = 20 Spaces
Total = 42 Spaces
- Proposed = 44 Spaces (111.1%)
- All parking spaces will be constructed of permeable paving (striped and curbing provided)
- Animals/ Open Space**
- Required = 300 sq. ft.
Proposed = 28,626 sq. ft. (10.54 Acres)
- Landscaping Planting**
- Required = 725 1" Ash, Red @ 1/30 = 14.50 1" Ash, Red
500 1" Red Oak @ 1/20 = 40.00 1" Red Oak
43 Parking Top @ 1/12 = 4.08 1" Oak
Total = 58.58 1" Trees
- 1 Row 22 ft. Trees @ 2.0 = 44.00 22 ft. Trees
Total = 102.58 1" Trees
- 250 1" Red Oak @ 1/12 = 20.83 1" Red Oak
Proposed = 22.13 1"
5. There is no known existing private sewage disposal system. The existing well shall not be utilized for a private well. It will be abandoned. Sewer reports will be sent to the Health Department.
6. Notes
- | | With
Basement | Without
Basement | Street & Parking |
|------------|------------------|---------------------|------------------|
| Setback | 8' | 5' | 5' |
| Min. Slope | Major | Major | Major |
| Min. Slope | Major | Major | Major |
| Min. Slope | Major | Major | Major |
7. The site is approximately half wooded with 50% major deciduous trees and half cleared with lawn. Existing trees will be retained where appropriate.
8. There are no known existing structures, bodies of water, or floodplains on the site.
9. There are no existing structures.
10. Hours of operation of the day care are approximated from 7 a.m. to 6 p.m. 4 days per week and 8 a.m. to 3 p.m. on Saturdays. It is anticipated that there will be approximately 10 employees.
11. Signage will comply with Section 413 of the B.C./R.

PLAN AND PLAT TO ACCOMPANY
 PETITION FOR SPECIAL EXCEPTION




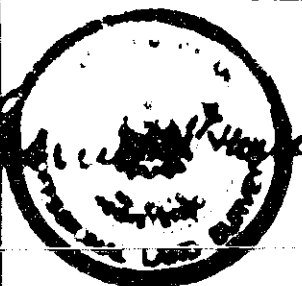
DAFT MCCUNE WALKER INC.

300 N. W. 10TH AVE., SUITE 100
MIAMI, FL 33136
TEL: (305) 581-1111
FAX: (305) 581-1112

SUNRISE OF PIKESVILLE

CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)





SCALE:

1" = 30'

JOB ORDER NO.

88008 G

ISSUE DATE

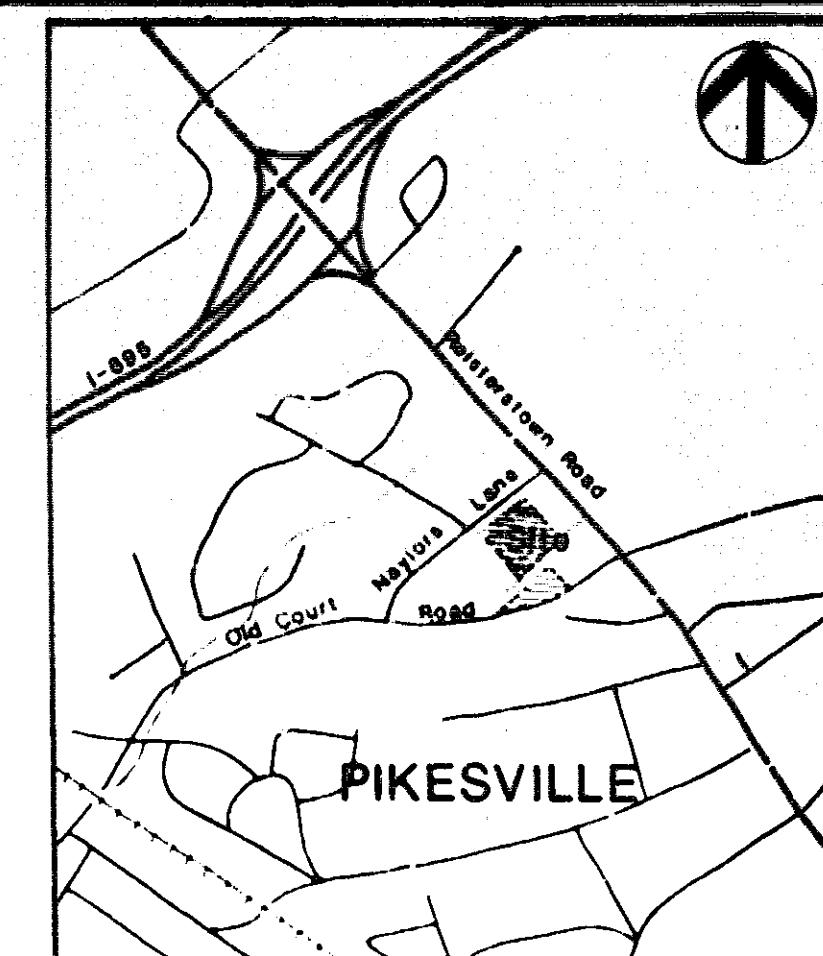
AUGUST 8, 1984

DATE	REVISIONS

SHEET

1

OF 1



Vicinity Map Scale 1"=1000'

General Notes

1. Applicant: Sunrise Retirement Homes and Communities, Inc., 1000 West Main Street, Suite 300, Fayetteville, VA 22801, (703) 797-7000
2. Location: 3000 Naylor's Lane, Pikeville, District 2, Census Tract 871402
3. Waterfront: 21.5 acres, 1000' wide
4. Site Area: 10.0 acres
5. Site Address and Zoning: Naylor's Lane, 3000 Naylor's Lane, Pikeville, KY 40360, Zoning: C-1
6. Use: Class B Assisted Living Facility, 3000 Naylor's Lane, Pikeville, KY 40360
7. Density:

Permitted	4.71 Acres / 100 Units = 26.2 U/A
Proposed	4.71 Acres / 100 Units = 26.2 U/A
8. Lot Area:

Required	4.71 Acres / 100 Units = 26.2 U/A
Proposed	4.71 Acres
9. Parking:

Required	4.71 Acres / 100 Units = 26.2 U/A
Proposed	4.71 Acres
10. Amenity Open Space:

Required	4.71 Acres
Proposed	4.71 Acres
11. Landscape Planting:

Required	4.71 Acres
Proposed	4.71 Acres
12. There is no known existing private sewage disposal system. The existing well shall be used for domestic water supply and shall be subject to inspection by the Health Department.
13. Soils:

Series	Class	With Baseline	Without Baseline	Streets & Parking
C-1	B	Slight	Slight	Moderate Slope
C-2	B	Moderate Slope	Moderate Slope	Moderate Slope
14. The site is approximately half wooded with maple, deciduous trees and half overgrown lawn. Existing trees will be retained wherever possible.
15. There are no known streams, springs, bodies of water or floodplains on the site.
16. There are no existing structures.
17. Hours of operation of the day care are 8:00 a.m. to 5:00 p.m. 5 days per week and 9:00 a.m. to 5:00 p.m. on Saturday. It is anticipated that there will be approximately 10 employees.
18. Signs will comply with Section 413 of the BCZB.

12. Current Ownership: Sunrise Retirement Homes and Communities, Inc., 1000 West Main Street, Suite 300, Fayetteville, VA 22801, (703) 797-7000
13. Estimated Average Daily Trips:

ADU @ 1.5/Unit	26.2 ADU
ADU @ 1.5/Unit	26.2 ADU
Total	52.4 ADU
14. MTA Bus Route 77 runs along Old Court Road and Naylor's Lane. MTA Bus Route 77 runs north-south in Pikeville, KY and stops at Old Court Road.
15. Stormwater will be managed by on-site detention facilities and shall be in the plan.
16. There are no known wetlands, floodplains, or other sensitive areas on the site.
17. A hazardous substance investigation has been conducted and no hazardous substances were found on the property.
18. This development was previously approved by the Pikeville Planning Commission on 10/15/98.
19. St. Mark's Episcopal Church has been notified and approved the plan.
20. Areas within right-of-way shall be graded and kept free of obstructions to the existing right-of-way.
21. This plan meets all applicable requirements of 413 and 413.1 B. (Housing for the Elderly).

PUBLIC SERVICES, CHD NO 20127

PLANNING NO 20127



DAFT MCCUNE WALKER INC.

LAND PLANNING, CONSULTANTS
ARCHITECTS, ENGINEERS, SURVEYORS
2101 E. 10th Street, Suite 100
Pikeville, KY 40360
Telephone: 781-1111

PLAN AND PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION

SUNRISE OF PIKEVILLE

CLASS B ASSISTED LIVING FACILITY

(Formerly Naylor's Office Park)

SCALE: 1" = 30'

JOB ORDER NO. 88008.G

ISSUE DATE: AUGUST 8, 1994

SHEET 1 OF 1

DATE: 8/8/94

REVISIONS: 1. 8/8/94, 2. 8/8/94, 3. 8/8/94

DATE: 8/8/94

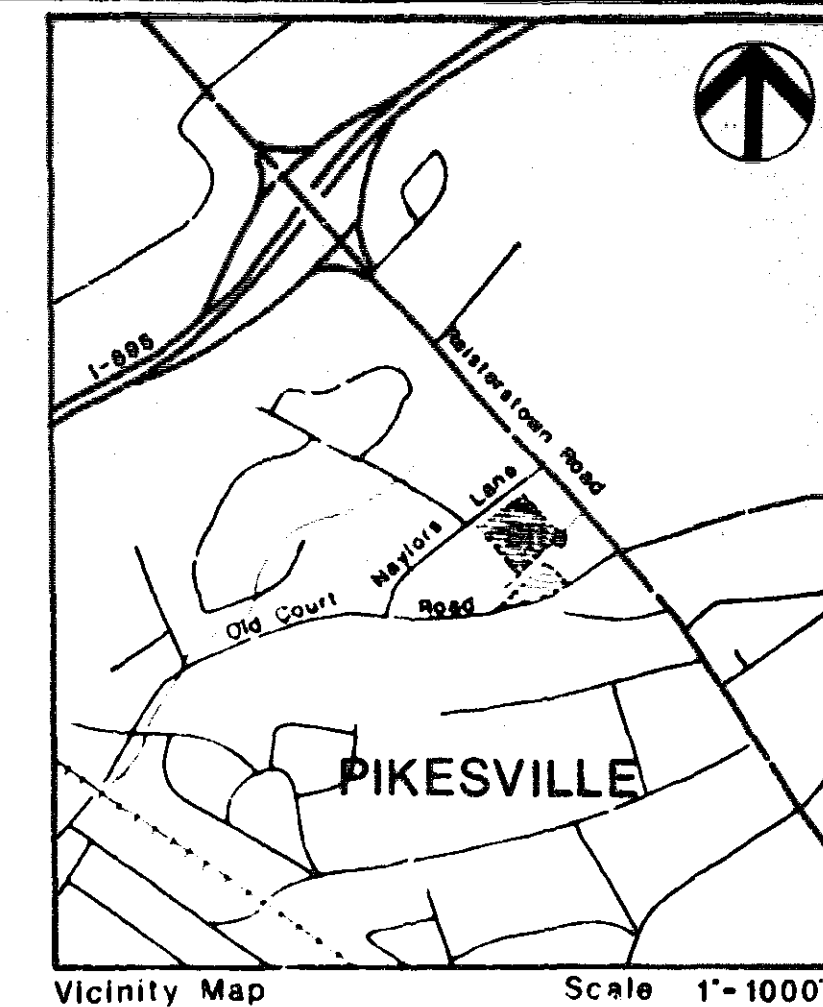
REVISIONS: 1. 8/8/94, 2. 8/8/94, 3. 8/8/94

DATE: 8/8/94

REVISIONS: 1. 8/8/94, 2. 8/8/94, 3. 8/8/94

FRONT ELEVATION (PORT COCHERE REMOVED FOR CLARITY)
NOT TO SCALE

SITE SECTION
NOT TO SCALE



Vicinity Map Scale 1"=1000'

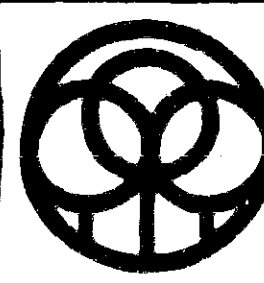
General Notes

1. Applicant: Sunrise Retirement Homes and Communities, 9401 Lee Highway, Suite 100, Fairfax, VA 22031, (703) 275-7800
2. Election District 13, Congressional District 2, Census Tract 004002
3. Watershed 27, Subwatershed 65
4. See Data
5. See Acreage and Zoning
6. See Notes
7. See Notes
8. See Notes
9. See Notes
10. See Notes
11. See Notes
12. See Notes
13. See Notes
14. See Notes
15. See Notes
16. See Notes
17. See Notes
18. See Notes
19. See Notes
20. See Notes
21. See Notes
22. See Notes
23. See Notes
24. See Notes
25. See Notes
26. See Notes
27. See Notes
28. See Notes
29. See Notes
30. See Notes
31. See Notes
32. See Notes
33. See Notes
34. See Notes
35. See Notes
36. See Notes
37. See Notes
38. See Notes
39. See Notes
40. See Notes
41. See Notes
42. See Notes
43. See Notes
44. See Notes
45. See Notes
46. See Notes
47. See Notes
48. See Notes
49. See Notes
50. See Notes
51. See Notes
52. See Notes
53. See Notes
54. See Notes
55. See Notes
56. See Notes
57. See Notes
58. See Notes
59. See Notes
60. See Notes
61. See Notes
62. See Notes
63. See Notes
64. See Notes
65. See Notes
66. See Notes
67. See Notes
68. See Notes
69. See Notes
70. See Notes
71. See Notes
72. See Notes
73. See Notes
74. See Notes
75. See Notes
76. See Notes
77. See Notes
78. See Notes
79. See Notes
80. See Notes
81. See Notes
82. See Notes
83. See Notes
84. See Notes
85. See Notes
86. See Notes
87. See Notes
88. See Notes
89. See Notes
90. See Notes
91. See Notes
92. See Notes
93. See Notes
94. See Notes
95. See Notes
96. See Notes
97. See Notes
98. See Notes
99. See Notes
100. See Notes

PIKE COUNTY MD.
COUNTY REVIEW GROUP
Reviewed By: [Signature]
Date: 9-16-99
[Signature]
Date: 9-16-99
[Signature]
Date: 9-16-99

12. Current Ownership: [Text]
13. Estimated Average Daily Trips: [Text]
14. MTA Bus Route 77 runs along [Text]
15. Stormwater will be managed by [Text]
16. There are no known wetlands [Text]
17. A hazardous materials storage [Text]
18. The development was previously [Text]
19. St. Marks Episcopal Church [Text]
20. Areas within sight lines shall be [Text]
21. Any removal of stormwater [Text]

PRINTED
SEP 13 1999



DAFT MCCUNE WALKER INC.

REVISED CRG PLAN
SUNRISE OF PIKEVILLE
CLASS B ASSISTED LIVING FACILITY
(Formerly Naylor's Office Park)



SCALE:
1" = 30'
JOB ORDER NO.
88038 G
ISSUE DATE
20 JUL 94

DATE	REVISIONS	SHEET
2-22-94	1. [Text]	1
3-24-94	2. [Text]	
4-28-94	3. [Text]	
5-24-94	4. [Text]	
6-24-94	5. [Text]	
7-24-94	6. [Text]	
8-24-94	7. [Text]	
9-24-94	8. [Text]	
10-24-94	9. [Text]	
11-24-94	10. [Text]	
12-24-94	11. [Text]	
1-24-95	12. [Text]	
2-24-95	13. [Text]	
3-24-95	14. [Text]	
4-24-95	15. [Text]	
5-24-95	16. [Text]	
6-24-95	17. [Text]	
7-24-95	18. [Text]	
8-24-95	19. [Text]	
9-24-95	20. [Text]	
10-24-95	21. [Text]	
11-24-95	22. [Text]	
12-24-95	23. [Text]	
1-24-96	24. [Text]	
2-24-96	25. [Text]	
3-24-96	26. [Text]	
4-24-96	27. [Text]	
5-24-96	28. [Text]	
6-24-96	29. [Text]	
7-24-96	30. [Text]	
8-24-96	31. [Text]	
9-24-96	32. [Text]	
10-24-96	33. [Text]	
11-24-96	34. [Text]	
12-24-96	35. [Text]	
1-24-97	36. [Text]	
2-24-97	37. [Text]	
3-24-97	38. [Text]	
4-24-97	39. [Text]	
5-24-97	40. [Text]	
6-24-97	41. [Text]	
7-24-97	42. [Text]	
8-24-97	43. [Text]	
9-24-97	44. [Text]	
10-24-97	45. [Text]	
11-24-97	46. [Text]	
12-24-97	47. [Text]	
1-24-98	48. [Text]	
2-24-98	49. [Text]	
3-24-98	50. [Text]	
4-24-98	51. [Text]	
5-24-98	52. [Text]	
6-24-98	53. [Text]	
7-24-98	54. [Text]	
8-24-98	55. [Text]	
9-24-98	56. [Text]	
10-24-98	57. [Text]	
11-24-98	58. [Text]	
12-24-98	59. [Text]	
1-24-99	60. [Text]	
2-24-99	61. [Text]	
3-24-99	62. [Text]	
4-24-99	63. [Text]	
5-24-99	64. [Text]	
6-24-99	65. [Text]	
7-24-99	66. [Text]	
8-24-99	67. [Text]	
9-24-99	68. [Text]	
10-24-99	69. [Text]	
11-24-99	70. [Text]	
12-24-99	71. [Text]	
1-24-00	72. [Text]	
2-24-00	73. [Text]	
3-24-00	74. [Text]	
4-24-00	75. [Text]	
5-24-00	76. [Text]	
6-24-00	77. [Text]	
7-24-00	78. [Text]	
8-24-00	79. [Text]	
9-24-00	80. [Text]	
10-24-00	81. [Text]	
11-24-00	82. [Text]	
12-24-00	83. [Text]	
1-24-01	84. [Text]	
2-24-01	85. [Text]	
3-24-01	86. [Text]	
4-24-01	87. [Text]	
5-24-01	88. [Text]	
6-24-01	89. [Text]	
7-24-01	90. [Text]	
8-24-01	91. [Text]	
9-24-01	92. [Text]	
10-24-01	93. [Text]	
11-24-01	94. [Text]	
12-24-01	95. [Text]	
1-24-02	96. [Text]	
2-24-02	97. [Text]	
3-24-02	98. [Text]	
4-24-02	99. [Text]	
5-24-02	100. [Text]	

CONDITIONS
SUBMIT

ORDER RECEIVED FOR FILING
Date 8/24/94
By Lawrence E. Schmidt

The Petitioner has the burden of adducing testimony which will establish that the proposed use meets the prescribed standards and requirements. The Petitioner does not have to establish affirmatively that the proposed use would be a benefit to the community, only that said use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. A special exception must be granted unless there is a showing that the negative impacts would result in a unique fashion. See Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

Based upon the overwhelming weight of testimony and evidence offered, I am persuaded that the Petition for Special Exception should be granted. In my view, the Petitioner has clearly satisfied its burden at law. In fact, I believe that the proposed use will bring a positive impact on the surrounding locale. In this regard, it is well known that Baltimore County's increasingly large senior citizen population needs housing facilities such as the one proposed. Moreover, the architectural style and development of the site is entirely compatible with the surrounding community. I am impressed with the efforts made by the Petitioner to create a building which will be a good fit in this neighborhood. Also, the melding of the elderly living facility and day care center will foster inter-generational contact which will benefit the clientele of both facilities. For all of these reasons, I am persuaded to grant the Petition for Special Exception and will so order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of October, 1994 that, pursuant to the Petition for Special Exception, approval for a Class B Assisted Living Facility on the

- 5 -

subject site pursuant to Section 432.1.A.3 and an accessory group child care center as permitted by right by Section 424.5.B, as shown on the site plan, (Petitioner's Exhibit No. 4), be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The terms, conditions, and provisions of the agreement reached by and between the Petitioners and the Pine Ridge Association, St. Marks Church and other individuals, dated 10/12/94, is hereby incorporated in this Order approving the special exception as a condition precedent thereto.

LBS:mmm

ORDER RECEIVED FOR FILING
Date 8/24/94
By Lawrence E. Schmidt

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County

- 6 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 21, 1994

Howard Alderman, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 95-51-X
Sunrise Development, Inc./Pomona Corp. Center
Ltd. Partnership, Petitioners

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LBS:mmm

att.
cc: Jean Tansey, Daft, McCune, Walker, Inc.
Mr. Whitney Wagner
Mr. William Shields
Thomas B. Newell, Esquire
Nancy Paige, Esquire
Reverend Robert H. Stucky
Mr. Sidney M. Friedman, Pikeville Chamber of Commerce

Printed with Recycled Ink
on Recycled Paper

RE: PETITION FOR SPECIAL EXCEPTION *
3901 Naylors Lane, S/S Naylors Lane,
379' W of c/l Reisterstown Rd, 3rd *
Election Dist., 2nd Councilmanic *
Pomona Corporate Ctr Ltd Partnership *
Petitioners *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-51-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

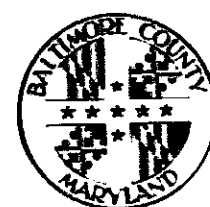
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas B. Newell, Esquire, 7929 Westpark Drive, Suite 400, McLean, VA 22101, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3-4 Date of Posting 8/24/94
Posted for Special Exception
Petitioner Pomona Corporate Center Limited Partnership
Location of property 3901 Naylors Lane, S/S
Location of Sign Facing roadway on property being zoned
Remarks _____
Posted by Michael Date of return 9/2/94
Number of Signs 1



Petition for Special Exception
to the Zoning Commissioner of Baltimore County

for the property located at 3901 Naylors Lane
which is presently zoned O-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Class B Assisted Living Facility per Sec. 432.1.A.3. and accessory group child care as permitted by right in Sec.424.5.B, BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Petitioner/Owner

Sunrise Development, Inc.

Signature William D. Shields

Signature William D. Shields

9401 Lee Highway, Suite 300

Fairfax Virginia 22031

McLean VA 22101

Attorney for Petitioner

Thomas B. Newell

7929 Westpark Drive, Suite 400

McLean VA 22101

Legal Counsel
Pomona Corporate Centre Ltd. P'tshp.

Signature Howard Saperstein

Signature Howard Saperstein

Howard Saperstein, Managing Partner

9401 Lee Highway, Suite 300

Fairfax Virginia 22031

McLean VA 22101

10220 S. Dolfield Rd. 363-0004

Quings Mills, Md 21117

City, Address and phone number of petitioner, to be contacted by J. TANSEY, DMW INC., 200 E. PA. AV.

William D. Shields, Sunrise Development

9401 Lee Hwy. #300, Fairfax, VA (703)

273-7500

ESTIMATED LENGTH OF HEARING 1-2 hr.

the following date Next Two Months

ALL OTHER DATE 8/16/94

REVIEWED BY DATE 8/16/94

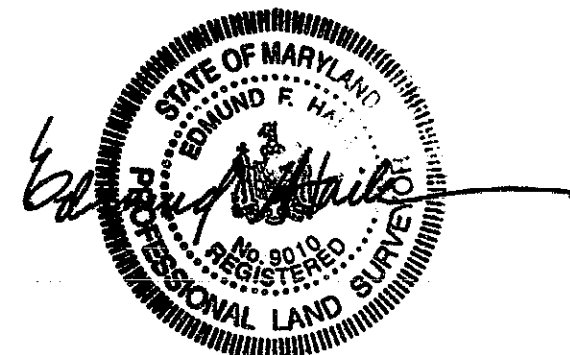
Page 1 of 2

50 degrees 18 minutes 39 seconds East 390.31 feet to the point of beginning;
containing 4.20 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 10, 1994

Project No. 88038.G (L88038G)



Page 2 of 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

NOTICE: The following information is being published for the information of the public. The information is being published for the information of the public. The information is being published for the information of the public.

Case Number: 95-51-X (Class B) 3901 Naylors Lane, S/S 379' W of c/l Reisterstown Rd, 3rd Election Dist., 2nd Councilmanic Pomona Corporate Ctr Ltd Partnership Petitioners
Hearing: TUESDAY, SEPTEMBER 20, 1994 at 1:00 p.m. in Rm. 118, CDB Courthouse
Special Exception for a Class B Assisted Living Facility and accessory group child care.
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on Tuesdays, 1:00 p.m. to 3:00 p.m. (2) For information concerning the filing of an appeal, please call 887-3391. (3) For information concerning the filing of an appeal, please call 887-3391. 8871 August 25.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:
Item No.: 52
Petitioner: Sunrise Development, Inc.
Location: 3901 Naylors Lane
PLEASE FORWARD ADVERTISING BILL TO:
NAME: WILLIAM D. SHIELDS, SUNRISE DEVELOPMENT, INC.
ADDRESS: 9401 LEE HWY, SUITE #305
FAIRFAX, VA. 22031
PHONE NUMBER: (703) 273-7500

AJ:ggg (Revised 04/29/93)

Item Number: 52
Planner: MJK
Date Filed: 8-10-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the agenda by Sophia. The planner that accepted the petition for filing has Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the option of notifying the petitioner and/or attorney after the hearing. If the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only 1 submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BC28 section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired
- WHO IS EH? DO THEY HAVE POWER OF ATTORNEY OR AUTHORIZATION TO SIGN FOR HOWARD SAPERSTEIN?

PET-FLAG (TXTSOPH)
11/17/93

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION
MISCELLANEOUS CASH RECEIPT

DATE: 11/21/94 ACCOUNT: R-001-6150

AMOUNT: \$9320.00

Received: Naylors Lane Associates
FROM: Appeal of Special Exception and Two Signs
3901 Naylors Lane
Case No. 95-51-X

6300340034NICHRC \$320.00
6300340034NICHRC \$320.00

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 95-51-X
Ink number: 52
Taken in by: [signature]

Date: 8/10/94

3901 Naylors Lane - Sunrise Development, Inc.

050 - Special Exception - \$300.00
080 - 1 sign - \$35.00
Total \$335.00

Please Make Checks Payable To: Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd
Date of Posting: 11/21/94
Posted for: Appeal
Petitioner: Pomona Corp. Centre & Sunrise Development, Inc.
Location of property: 3901 Naylors Lane, 3901 Naylors Lane
Location of Signs: 3901 Naylors Lane, 3901 Naylors Lane
Remarks: [signature]
Posted by: [signature]
Number of Signs: 2
Date of return: 12/1/94

To: POMONA PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas B. Newell, Esq.
705 Westpark Drive, Suite 400
Middleburg, VA 22101
703-749-1000

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-51-X (Item 52)
3901 Naylors Lane
S/S Naylors Lane, 379' W of c/l Reisterstown Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Pomona Corporate Centre Limited Partnership
Contract Purchaser(s): Sunrise Development, Inc.
HEARING: TUESDAY, SEPTEMBER 20, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class B Assisted Living Facility and accessory group child care.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

AUGUST 19, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-51-X (Item 52)
3901 Naylors Lane
S/S Naylors Lane, 379' W of c/l Reisterstown Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Pomona Corporate Centre Limited Partnership
Contract Purchaser(s): Sunrise Development, Inc.
HEARING: TUESDAY, SEPTEMBER 20, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for a Class B Assisted Living Facility and accessory group child care.

Arnold Jablon, Director

cc: Thomas B. Newell, Esq.
Sunrise Development, Inc.
Pomona Corporate Centre Ltd. Partnership

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Printed with Soy-based Ink
on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue
January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 95-51-X
POMONA CORP. CENTRE /Legal Owner; SUNRISE DEVELOPMENT, INC. -Petitioners
S/S Naylors Lane, 379' W of c/l Reisterstown Road (3901 Naylors Lane)
3rd Election District
2nd Councilmanic District

SE -Class B Assisted Living Facility and accessory group child care center
10/24/94 -Z.C.'s Order in which Petition was GRANTED with restrictions.

ASSIGNED FOR: THURSDAY, MARCH 30, 1995 at 10:00 a.m.

cc: Newton A. Williams, Esquire Counsel for Appellants
Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al Appellants
Howard L. Alderman, Jr., Esquire Counsel for Petitioner
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc. Petitioner
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner

Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
Melvin Berger

People's Counsel for Baltimore County
Pat Keller W. Carl Richards /ZADM
Lawrence E. Schmidt Docket Clerk /ZADM
Timothy M. Kotroco Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

Printed with Soy-based Ink
on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue
January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 95-51-X
POMONA CORP. CENTRE /Legal Owner; SUNRISE DEVELOPMENT, INC. -Petitioners
S/S Naylors Lane, 379' W of c/l Reisterstown Road (3901 Naylors Lane)
3rd Election District
2nd Councilmanic District

SE -Class B Assisted Living Facility and accessory group child care center
10/24/94 -Z.C.'s Order in which Petition was GRANTED with restrictions.

ASSIGNED FOR: THURSDAY, MARCH 30, 1995 at 10:00 a.m.

cc: Newton A. Williams, Esquire Counsel for Appellants
Naylors Lane Assoc. Ltd. Partnership
/Mark Hellman & John Doyle, et al Appellants
Howard L. Alderman, Jr., Esquire Counsel for Petitioner
Pomona Corp. Centre Ltd. Partnership
William D. Shields /Sunrise Development, Inc. Petitioner
Thomas B. Newell, Esquire
Jean Tansey /Daft-McCune-Walker
Whitney Wagner

Nancy Paige, Esquire
Rev. Robert H. Stucky
Sidney M. Friedman
Gordon E. Sugar
Melvin Berger

People's Counsel for Baltimore County
Pat Keller W. Carl Richards /ZADM
Lawrence E. Schmidt Docket Clerk /ZADM
Timothy M. Kotroco Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

Printed with Soy-based Ink
on Recycled Paper